



# भारत का राजपत्र The Gazette of India

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No. 47]

NEW DELHI, SATURDAY, NOVEMBER 22, 1997/AGRAHAYANA 1, 1919

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह जलन संकलन के रूप में  
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a  
separate compilation

## भाग II—खण्ड 3—उप-खण्ड (II) PART II—Section 3—Sub-section (II)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications Issued by the Ministries of the Government of India  
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 28 अक्टूबर, 1997

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES  
AND PENSION

(Department of Personnel and Training)

New Delhi, the 28th October, 1997

का०आ० 2943:—केन्द्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा श्री आर०एम० तिवारी, अधिवक्ता दिल्ली को मुख्य महानगर दंडाधिकारी, दिल्ली/अतिरिक्त जिला एवं सत्र न्यायाधीश, दिल्ली/नई दिल्ली की अदालत में मामला संख्या आर०सी० 1(एस)/92-एस०आई०यू०-III/नई दिल्ली और किसी अन्य न्यायालय में उससे जुड़े अथवा उसके साथ घटित किसी अन्य मामले में संचालन हेतु विशेष लोक अभियोजक नियुक्त करती है।

[संख्या 225/14/97 ए०वी०डी०-II]

हरि सिंह, अवर सचिव

S.O. 2943.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Shri R. M. Tewari, Advocate, Delhi as Special Public Prosecutor for conducting case No. RC-1(S)/92-SIU-III/New Delhi in the Court of Chief Metropolitan Magistrate, Delhi/Additional District and Sessions Judge, Delhi/New Delhi and any other matter connected therewith or incidental thereto in any other Court.

[No. 225/14/97-AVD. II]

HARI SINGH, Under Secy.

## आदेश

नई दिल्ली, 5 नवम्बर, 1997

का०आ० 2944:—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं० 35) की धारा 6 संपाठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करती हुई दिनांक 20-10-1997 के उत्तर प्रदेश सरकार के आदेश सं० 677/पीएसएचएस/97 द्वारा प्राप्त उत्तर प्रदेश राज्य सरकार की सहमति से दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार बहुत नोएडा औद्योगिक विकास प्राधिकरण के विभिन्न अधिकारियों के विरुद्ध 12-09-1997 को आयोजित प्राधिकरण बोर्ड की 25वीं बैठक में अनुमोदन के लिए प्रार्थित कुछ प्रस्तावों से संबंधित आरोपों अथवा इन आरोपों में उद्भूत किन्हीं अन्य अपराधों के अन्वेषण के लिए सम्पूर्ण उत्तर प्रदेश राज्य-पर करती है।

[सं० 228/84/97-ए वी डी-2]

हरि सिंह, अवर सचिव

## ORDER

New Delhi, the 5th November, 1997

S.O. 2944.—In exercise of the powers conferred by sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Uttar Pradesh vide Order No. 677/PSHS/97 dated 20-10-1997, hereby extends the powers of jurisdiction of the members of the Delhi Special Police Establishment in whole of the State of Uttar Pradesh for investigation of charges against various officers of Greater Noida Industrial Development Authority with reference to certain proposals which were sought approved in its 25th Board Meeting held on 12-9-1997, or any other offences arising out of these charges.

[No. 228/84/97-AVD. III]

HARI SINGH, Under Secy.

वित्त मंत्रालय

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 28 अक्टूबर, 1997

का०आ० 2945:—केन्द्रीय सरकार, राजभाषा (संघ के आससकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में, संलग्न अनुबंध में निम्नलिखित बैंकों के सूचीबद्ध कार्यालयों/शाखाओं को, जिनके 80% से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है:—

क्रम सं०	बैंक का नाम	कार्यालयों/शाखाओं की संख्या
1	2	3
1.	भारतीय स्टेट बैंक	161
2.	विजया बैंक	041
3.	सेंट्रल बैंक आफ इंडिया	008

1 2 3

4. सिंडिकेट बैंक 025

5. आन्ध्रा बैंक 021

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[का०सं० 11016/3/96-हिन्दी]

मनुरा प्रसाद, उपनिदेशक (संयोजन)

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3. नेकपुर शाखा
4. रसौली निजामपुर (बदायूँ) शाखा
5. साभारी शाखा
6. रियोनार्ड शाखा
7. लखनपुर शाखा
8. एकतानगर शाखा
9. रतनपुर कला शाखा
10. तूरपुर शाखा
11. श्रीनयाफोट शाखा
12. इण्डस्ट्रियल एस्टेट अलीपुर शाखा
13. मिसैया खेड़ा शाखा
14. धौला देवी शाखा
15. चसनीछीना शाखा
16. पैसिया शाखा
17. गगरीमोल शाखा
18. चिश्तियानीला शाखा
19. बाराकोट शाखा
20. कपकोट शाखा
21. मनान शाखा
22. रामपुर शाखा
23. काफरा शाखा
24. डंगौली शाखा
25. सीमरटोला शाखा
26. रक्षाएल शाखा
27. ध्यन्डी शाखा
28. जाला शाखा
29. चर्मा शाखा
30. राहुआमर शाखा
31. गुंजी शाखा
32. चौरपट्टा शाखा
33. बकवे शाखा
34. दसाईयल शाखा
35. बंगापानी शाखा
36. कंडेकिरोली शाखा
37. सूरजकुंड शाखा
38. रखात शाखा
39. मलाओं शाखा

40. दुहियाबाड़ी शाखा
41. टेकवर शाखा
42. बोकटा शाखा
43. जसवाल शाखा
44. महादेव बाजार शाखा
45. खुनवा शाखा
46. तिलौरा शाखा
47. मदनपुर शाखा
48. महोकवां शाखा
49. डिडई शाखा
50. मल्लीजोत शाखा
51. करौदासनीना शाखा
52. सौफीपुर शाखा
53. सिकरीबकरीयां शाखा
54. औरताल शाखा
55. बधयां शाखा
56. पोखरी शाखा
57. अगयां शाखा
58. मौलनापुर शाखा
59. पुरैना शाखा
60. डुर्बेलिया चौराहा शाखा
61. भीटी मिश्रा शाखा
62. चम्पीलांब शाखा
63. भदावल शाखा
64. महली शाखा
65. पाकाडाड शाखा
66. उत्तरांब शाखा
67. छिबईयां शाखा
68. इस्माईलपुर शाखा
69. महौरीकलां शाखा
70. तिवारीपुर शाखा
71. चौगड़ा शाखा
72. कसौदर शाखा
73. कर्मनपुर शाखा
74. मिश्रा बाजार शाखा
75. भारा शाखा
76. कोलूभा शाखा
77. सत्तरिया इंडस्ट्रियल एरिया शाखा
78. तेवा शाखा
79. बशाही शाखा
80. बसहारा शाखा
81. इटवा कलां शाखा
82. अखारीशाहपुर शाखा
83. सिधिया शाखा
84. भरेसर शाखा
85. ललतारा शाखा
86. बिरोली शाखा
87. मुहम्मदपुर अनेठा शाखा
88. कादीपुर शाखा
89. भदाह चौराहा शाखा
90. चिल्लमां बाजार शाखा
91. ओझागंज शाखा
92. केशवपुर शाखा
93. इंडस्ट्रियल एरिया खलीलाबाद शाखा
94. मुंदिला बाजार शाखा
95. दरहाटा शाखा
96. नरायणपुर (परसिया माल) शाखा
97. बागापार शाखा
98. तरकलुवां शाखा
99. आई ओ सी कानपुर शाखा
100. शेरपुर शाखा
101. डबौली शाखा
102. डडोरा शाखा
103. लहुरपुर शाखा
104. लबेड़ी शाखा
105. इंडस्ट्रियल इस्टेट भरुा शाखा
106. अलीहीपल शाखा
107. कोरा कनक शाखा
108. गढ़ा शाखा
109. नरीचा शाखा
110. रेलवे स्टेशन कानपुर शाखा
111. धवाकर शाखा
112. बकूभा बुजुर्ग शाखा
113. एच ए एल कानपुर शाखा
114. बसीला शाखा
115. बेतहर शाखा
116. हफीजाबाद शाखा
117. परेवा शाखा
118. बंदहर खुर्द शाखा
119. भिखारीपुर पतासिया शाखा
120. सर्विस ब्रांच कानपुर शाखा
121. इंडो गल्फ फर्टिलाइजर जगदीशपुर शाखा
122. इंडस्ट्रियल फाइनांस ब्रांच शाखा
123. ओवरसीज शाखा वाराणसी
124. ओवरसीज कानपुर शाखा
125. भपटामऊ शाखा
126. जेल रोड लखनऊ शाखा
127. विक्रमादित्य मार्ग, लखनऊ
128. इन्दिरा नगर लखनऊ शाखा
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131. बानी शाखा
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134. कुंभी ग्राहमा शाखा
135. मानगढ़ शाखा
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144. बिसवां खुर्द शाखा
145. कुरवा शाखा
146. बेलसर शाखा
147. बालपुर शाखा
148. सीसामऊ (बोंडा) शाखा
149. विशुनपुर शाखा
150. सराय खास शाखा
151. मंगुरा बाजार शाखा
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153. नागाहरा शाखा
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155. फतेहपुर गाजी शाखा
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157. पहरीमऊ शाखा
158. रामपुरा मिश्रा शाखा
159. सविस बांध, लखनऊ शाखा
160. काशी विश्वनाथ मंदिर शाखा
161. भम्बाला शहर शाखा भम्बाला

1. विजया बैंक  
क्षेत्रीय कार्यालय,  
पी०बी०सं० 53,  
प्रमोद बिल्डिंग,  
चेरुट्टी रोड,  
कैलीकट-673001
2. विजया बैंक  
पी०ओ० चिप्पार,  
उप्पला से होकर,  
नयार मुलिगट्टे-671 322,  
कासरगोड ।
3. विजया बैंक  
पी०बी०सं० 6, ब्लॉक सं० 7;  
फोर्ट रोड,  
काणूर-670 001  
केरल ।
4. विजया बैंक  
पी०बी०सं० 507,  
इन्डस एवेन्यू बिल्डिंग,  
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चट्टंचल-671 541,  
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6. विजया बैंक  
पी०बी० सं० 1,  
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VII, 16 ई, पहली मंजिल,  
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7. विजया बैंक  
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कासरगोड जिला ।
9. विजया बैंक  
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10. विजया बैंक  
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फजी थ बिल्डिंग,

- गवर्नमेंट अस्पताल के पास,  
टी०सी० रोड,  
कुत्तुपरबा-670 643,  
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15. विजया बैंक  
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मेहन रोड,  
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कासरगोड जिला ।
22. विजया बैंक  
देवी कृष्ण शॉपिंग सेंटर,  
आर०एस०सं० 272/3,  
नारायण नगर,  
बडगरा-673 101
23. विजया बैंक  
पंजायत कमशियल कॉम्प्लेक्स,  
रेलवे स्टेशन के पास,  
उड्यावर, मंजेस्वर-671 323,  
कासरगोड जिला
24. विजया बैंक  
6/795, न्यू बस स्टेण्ड कम शॉपिंग  
कॉम्प्लेक्स बिल्डिंग,  
मेहन रोड,  
कोयिलांडी-673 305,  
केरल
25. विजया बैंक  
पी०बी०सं० 3,  
रेलवे स्टेशन के सामने,  
त्रिकरपुर-671 310  
कासरगोड जिला
26. विजया बैंक  
आर०एस०सं० 536/50,  
मडिके-चालक्कडव,  
पोस्ट मडिके-671 314,  
(नीलेश्वर से होकर), होसदुर्गा,  
कासरगोड जिला,  
केरल
27. विजया बैंक  
नेडुमपुरमचाल,  
पी०ओ० पलाकुट्टि-570 850,  
चिट्टारिप्परंब से होकर,  
कण्णूर जिला ।
28. विजया बैंक  
पी०बी०सं० 14,  
मेहन रोड,  
पय्यन्नूर-670 307  
कण्णूर जिला ।
29. विजया बैंक  
पी०बी०सं० 111,  
17, नेशनल हे-वे,  
तलिपरंबा-670 141,  
कण्णूर जिला ।
30. विजया बैंक  
मुल्लिजे गांव,  
उप्पला पी०ओ०-671 322,  
कासरगोड जिला ।
31. विजया बैंक  
सं० 5/289  
तूता-679 357  
आनामंगाड से होकर,  
मलाप्पुरम जिला

32. विजया बैंक  
कालिङ्गामरम-671 314,  
नीलेश्वर से होकर,  
पोस्ट करिङ्गलम,  
कासरगोड जिला
33. विजया बैंक  
पी०बी०सं० 9,  
सेंट्रल बाजार,  
ई०के०के० बिल्डिंग  
पेरितलमन्ना-679 322,  
मलाप्पुरम जिला
34. विजया बैंक  
पी०बी०सं० 51,  
जुबिली शॉपिंग कॉम्प्लेक्स,  
अस्पताल रोड,  
तलशेरी-670 101,  
कण्णूर जिला
35. विजया बैंक  
डोर सं० एमपी, ix/340,  
कैलीकत-ऊटी रोड,  
मेप्पाडि-673 577  
वैनाड जिला ।
36. विजया बैंक  
मेडन रोड,  
कारप्परंबा,  
कोयिकोड-673 010
37. विजया बैंक  
बदिण्डका-671 551,  
कासरगोड जिला
38. विजया बैंक  
पूना-बेंगलूर रोड,  
बंकापुर चौक,  
पुराना हुस्ली,  
हुस्ली-580 024
39. विजया बैंक  
एनके कॉम्प्लेक्स  
केशवपुरा,  
हुस्ली-580023  
“ख” क्षेत्र
40. विजया बैंक  
पी०बी०सं० 42,  
सं० 1828, सुन्दर कॉम्प्लेक्स,  
घुलियां-424 001  
महाराष्ट्र ।
41. विजया बैंक  
252-सी, 28/3, प्रथम तल,  
नस्ते कॉम्प्लेक्स, उद्योग भवन के सामने  
एसंझी रोड, बसंत बहार टाकीस के पास  
कोल्हापुर-416 001
1. सेंट्रल बैंक आफ इंडिया  
गुमटाला शाखा,  
अमृतसर, पंजाब ।
2. सेंट्रल बैंक आफ इंडिया,  
पलासौर शाखा,  
अमृतसर, पंजाब
3. सेंट्रल बैंक आफ इंडिया,  
तरनतारन शाखा,  
अमृतसर, पंजाब ।
4. सेंट्रल बैंक आफ इंडिया,  
भगतानवाला गेट,  
अमृतसर शाखा,  
अमृतसर, पंजाब ।
5. सेंट्रल बैंक आफ इंडिया  
गुरु बाजार, अमृतसर शाखा,  
अमृतसर पंजाब ।
6. सेंट्रल बैंक आफ इंडिया,  
देवानहाट शाखा,  
कूच बिहार, पश्चिम बंगाल
7. सेंट्रल बैंक आफ इंडिया,  
चांदमारी शाखा,  
कूच बिहार, पश्चिम बंगाल
8. सेंट्रल बैंक आफ इंडिया,  
अधिकारी प्रशिक्षण महाविद्यालय,  
साल्ट लेक कलकत्ता,  
पश्चिम बंगाल ।
- राजभाषा नियम 10(4) के अंतर्गत अधिसूचित की जाने वाली शाखाओं की सूची
1. सिंडिकेट बैंक,  
मुम्बई घाटकोपर शाखा,  
गार्डन व्यू प्लॉट सं. 55  
बल्लभ बाग लेन, घाटकोपर पूर्व,  
मुम्बई-400077
2. सिंडिकेट बैंक,  
मुम्बई कोलिवाडा शाखा,  
225/227 ए, राम निवास कोलिवाडा,  
सायन (पूर्व), मुम्बई-400022

3. सिडिकेट बैंक,  
कर्मचारी प्रशिक्षण महाविद्यालय,  
जगदीप काटेज, पहली मंजिल,  
IV मार्क, खार (पश्चिम),  
मुम्बई-400054
4. सिडिकेट बैंक,  
उरण मोरा शाखा,  
बंगला नं. 6976, उरण मोरा मार्ग,  
उरण मोरा, रायगढ़, जिला,  
महाराष्ट्र राज्य पिन कोड-400704
5. सिडिकेट बैंक,  
पनवेल शाखा,  
166, एम जी एच सोसायटी,  
बी.बे. फाड़के मार्ग,  
डा. पे.सं. 134,  
पनवेल,  
रायगढ़ जिला, महाराष्ट्र राज्य, पिन कोड-410 206
6. सिडिकेट बैंक,  
गोवा कावले शाखा,  
टिप टोप मेशन,  
धावली, मार्गोबा रोड,  
पोंडा, गोवा, पिन कोड 463 401
7. सिडिकेट बैंक,  
गोवा मुरगांव शाखा,  
मुरगांव पोर्ट ट्रस्ट के नजदीक  
मुरगांव हार्बर, गोवा-403 803
8. सिडिकेट बैंक,  
गोवा बेतीम शाखा,  
मुख्य मार्ग, बेतीम  
बार्डेंडेज-गोवा पिन कोड 403 101
9. सिडिकेट बैंक,  
गोवा सांखली शाखा,  
मुख्य रास्ता, सांखली गोवा,  
बिछाली तालुक, पिन कोड 403 505
10. सिडिकेट बैंक,  
गोवा कुडचडे शाखा  
पहली मंजिल, चर्च विज्ञान  
स्टेशन रोड, डा. पे.सं. 10,  
कुडचडे-गोवा, पिन कोड-403 706
11. सिडिकेट बैंक,  
गोवा करंजले शाखा,  
करंजले, गोवा-403 002
12. सिडिकेट बैंक,  
मालवण शाखा,  
मकान नं. 381, सोमवारपेट,  
मालवण, सिध्दपुरी जिला,  
महाराष्ट्र राज्य, पिन कोड-416 606
13. सिडिकेट बैंक  
माविनकुर्वे शाखा,  
नवदुर्गा टेंपल के नजदीक,  
माविनकुर्वे, होन्नावर द्वारा,  
उत्तर कन्नड जिला, कर्नाटक 581 335
14. सिडिकेट बैंक,  
गुंडली शाखा,  
मकान सं. 85, मुख्य मार्ग,  
गुंडली उत्तर कन्नड जिला,  
कर्नाटक-581 329
15. सिडिकेट बैंक,  
होन्नावर शाखा,  
बी 2365, बाजार रोड,  
होन्नावर, उत्तर कन्नड जिला,  
कर्नाटक-581 334
16. सिडिकेट बैंक,  
अवर्सा शाखा,  
बुल्लिहो विज्ञान,  
मुख्य मार्ग, अवर्सा,  
अंधोला ता. उत्तर कन्नड जिला,  
कर्नाटक-581 316
17. सिडिकेट बैंक,  
मंकी शाखा, मुपर बाजार,  
मंकी, होन्नावर तालुक,  
उत्तर कन्नड जिला,  
कर्नाटक-581 348
18. सिडिकेट बैंक,  
मैसूर सरस्वतीपुरम शाखा  
मकान सं. 2951/38ए,  
5वां त्रास, 5वां मेन रोड  
सरस्वतीपुरम, मैसूर-570 009
19. सिडिकेट बैंक,  
मैसूर वाणी विलास शाखा,  
मकान सं. 2997/3,  
सुवर्ण टेम्पल मार्ग,  
वाणीविलास मुहल्ला,  
मैसूर-570 002
20. सिडिकेट बैंक,  
मंड्या मुगर टाउन शाखा,  
1123, 1, मुख्य मार्ग,  
ईस्टर्न विस्तार, डा.पे.सं. 25,  
मंड्या 571 401

21. सिडिकेट बैंक,  
कर्मचारी प्रशिक्षण महाविद्यालय,  
4-4-286/297, दूसरी मंजिल,  
मिथिला कॉम्प्लेक्स, बैंक स्ट्रीट,  
मुल्तान बाजार, कोटी,  
हैदराबाद-500 195
22. सिडिकेट बैंक,  
मंसूर बनिमंटप शाखा,  
द्वार सं. 154, बनिमंटप मार्ग,  
होटल हाईवे के नजदीक,  
डा. पं. सं. 1, मंसूर,  
कर्नाटक, पिन कोड-570 015
23. सिडिकेट बैंक,  
हासन शाखा, पहली मंजिल,  
विद्या भवन बिल्डिंग, बस स्टैंड रोड,  
डा. पं. सं. 25, हासन,  
कर्नाटक, पिन कोड-573 201
24. सिडिकेट बैंक,  
बेंगलूर चामराजपेट शाखा,  
रोयल सर्कल, डा. पं. सं. 1915, चामराजपेट,  
बेंगलूर, पिन कोड-580 018
25. सिडिकेट बैंक,  
अगस्ती शाखा,  
कनफारिया बिल्डिंग,  
बैक्सो रोड रोड,  
गोवा, पिन कोड-403 204  
राजभाषा नियम 1976 के नियम 10(4) के  
अंतर्गत अधिसूचना हेतु शाखाओं की सूची
1. ग्रान्धा बैंक,  
नंबर 1-90, मेन रोड,  
उत्पाड कोल्लपल्ली शाखा,  
पीटापुरम तालुका,  
ग्रान्धा प्रदेश, पिन-533 447
2. ग्रान्धा बैंक,  
मेन रोड, राजावोम्मंगी शाखा,  
पूर्वी गोदावरी, जिला  
ग्रान्धा प्रदेश, पिन-533 436
3. ग्रान्धा बैंक,  
जी टी रोड, अन्नवरम शाखा,  
पूर्वी गोदावरी जिला,  
ग्रान्धा प्रदेश, पिन-533 406
4. ग्रान्धा बैंक,  
आर टी सी कॉम्प्लेक्स के सामने,  
महालक्ष्मी भवन, रायवरम शाखा,  
पूर्वी गोदावरी जिला,  
ग्रान्धा प्रदेश, पिन-533 346
5. ग्रान्धा बैंक,  
टैकी शाखा,  
कपिलेश्वरपुरम मंडल,  
पूर्वी गोदावरी जिला  
ग्रान्धा प्रदेश, पिन-533 312
6. ग्रान्धा बैंक,  
मेन रोड, इजारांम शाखा  
ताल्लरेडु मंडल,  
पूर्वी गोदावरी जिला,  
ग्रान्धा प्रदेश, पिन-533 465
7. ग्रान्धा बैंक,  
क्षेत्रीय कार्यालय,  
22, पी.बी. नंबर 1,  
जी टी रोड,  
श्रीकाकुलम-532 001
8. ग्रान्धा बैंक,  
विदेश लघु उद्योग शाखा,  
12, 41, 1 गानुवाका, विशाखापट्टणम,  
ग्रान्धा प्रदेश, पिन-530 026
9. ग्रान्धा बैंक,  
विशेष कृषि वित्त शाखा,  
18-1-28, पहली मंजिल,  
महाराणी पेट, विशाखापट्टणम,  
ग्रान्धा प्रदेश, पिन-530 002
10. ग्रान्धा बैंक,  
एम बी पी कालनी शाखा,  
विशाखापट्टणम,  
ग्रान्धा प्रदेश, पिन-530 017
11. ग्रान्धा बैंक,  
शीशमहल थिएटर के सामने,  
मेन रोड, गानुवाका शाखा,  
विशाखापट्टणम,  
ग्रान्धा प्रदेश, पिन 5300/26
12. ग्रान्धा बैंक,  
सेवा केन्द्र, सीतमाधारा,  
विशाखापट्टणम  
ग्रान्धा प्रदेश, पिन-530 013
13. ग्रान्धा बैंक,  
ट्रंक रोड, मल्कापुरम शाखा,  
विशाखापट्टणम,  
ग्रान्धा प्रदेश, पिन-530 011
14. ग्रान्धा बैंक,  
आर के बीष रोड,  
आर. के. मीशन शाखा  
विशाखापट्टणम,  
ग्रान्धा प्रदेश,  
पिन-530 011



15. आन्ध्रा बैंक, महाराणीपेट, के. जी. एच. शाखा, विशाखापट्टणम आन्ध्र प्रदेश पिन-530 002	S. No.	Name of the Bank	No. of Offices/ branches
	1.	State Bank of India	161
	2.	Vijaya Bank	041
	3.	Central Bank of India	008
16. आन्ध्रा बैंक, महाराणीपेट शाखा, विशाखापट्टणम आन्ध्र प्रदेश पिन-530 002	4.	Syndicate Bank	025
	5.	Andhra Bank	021
		Total	256

17. आन्ध्रा बैंक,  
डी. एल. पुरम् शाखा,  
ताल्लारेडु मंडल,  
पूर्वी गोदावरी जिला,  
आन्ध्र प्रदेश पिन-533 465

18. आन्ध्रा बैंक,  
मार्कोडपुट्टी शाखा,  
माकुबा मंडल,  
विजयनगरम् जिला,  
आन्ध्र प्रदेश पिन-533 547

19. आन्ध्रा बैंक,  
राविवालसा शाखा,  
गुरुगुबिल्ली मंडल,  
विजयनगरम् जिला,  
आन्ध्र प्रदेश पिन-532 525

20. आन्ध्रा बैंक,  
कोत श्रीरंगराजपुरम् शाखा,  
बाया गणपति नगरम्,  
विजयनगरम् जिला,  
आन्ध्रा प्रदेश  
पिन-535 270

21. आन्ध्रा बैंक,  
प्लॉट नंबर 4  
अक्कय्यापालेम शाखा  
विशाखापट्टणम  
आन्ध्र प्रदेश पिन-530 016

[F. No. 11016/3/96-Hindi]

MATHURA PRASAD, Dy. Director (O.L.)

## STATE BANK OF INDIA

1. Quila Branch.
2. Shahbazpur Branch
3. Nekpur Branch
4. Rasauli—Nizampur (Budaun) Branch
5. Labhari Branch
6. Reonai Branch
7. Lakhanpur Branch
8. Ekta Nagar Branch
9. Ratanpurkala Branch
10. Noorpur Branch
11. Dhaniyakote Branch
12. Ind. Estate Alipur Branch
13. Sisaia Khera Branch
14. Dhauladevi Branch
15. Chhalnichhina Branch
16. Paisiya Branch
17. Gagrigoal Branch
18. Chhianaulla Branch
19. Barakote Branch
20. Kapkote Branch
21. Manan Branch
22. Rampur Branch
23. Kafra Branch
24. Dangoli Branch
25. Ghinghar Tola Branch
26. Rawai Khal Branch
27. Dhayari Branch
28. Jakh Branch
29. Charma Branch
30. Raiagar Branch
31. Gunji Branch
32. Ghorpatta Branch
33. Badawe Branch
34. Dasaitha Branch
35. Bangapani Branch
36. Kande Kiroli Branch
37. Suraj Kund Branch
38. Rakhat Branch
39. Malaon Branch
40. Budhiabari Branch
41. Tekwar Branch

## MINISTRY OF FINANCE

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 28th October, 1997

S.O. 1945.—In pursuance of sub-rule (4) of Rule 10 of the Official Languages (Use for official purposes of the Union) Rules, 1976, the Central Government, hereby, notifies the listed offices/branches of the following banks in the attached annexure, more than 80% of the staff whereof have acquired the working knowledge of Hindi :

- |                                       |                                      |
|---------------------------------------|--------------------------------------|
| 42. Bokta Branch                      | 99. I.O.C. Kanpur Branch             |
| 43. Jaswal Branch                     | 100. Sherpur Branch                  |
| 44. Mahadeva Bazar Branch             | 101. Dabauli Branch                  |
| 45. Khunwa Branch                     | 102. Dadora Branch                   |
| 46. Tilaura Branch                    | 103. Laharpur Branch                 |
| 47. Madanpur Branch                   | 104. Lebedi Branch                   |
| 48. Mahokawa Branch                   | 105. Industrial Estate Barura Branch |
| 49. Dindai Branch                     | 106. Amlhipal Branch                 |
| 50. Manijot Branch                    | 107. Kora Kanak Branch               |
| 51. Karounda Masina Branch            | 108. Garah Branch                    |
| 52. Sophipur Branch                   | 109. Narecha Branch                  |
| 53. Sikari Bakharin Branch            | 110. Railway Station Kanpur Branch   |
| 54. Auratal Branch                    | 111. Dhawakar Branch                 |
| 55. Badhya Branch                     | 112. Bakur Buzurg Branch             |
| 56. Pokharni Branch                   | 113. H.A.L. Kanpur Branch            |
| 57. Agaya Branch                      | 114. Basela Branch                   |
| 58. Molnapur Branch                   | 115. Bethar Branch                   |
| 59. Puraina Branch                    | 116. Hafizabad Branch                |
| 60. Dubaulia Chouraha Branch          | 117. Parenda Branch                  |
| 61. Bhati Mishra Branch               | 118. Bandhur Khurd Branch            |
| 62. Chapileon Branch                  | 119. Bhikharipur Patasi Branch       |
| 63. Bhadawal Branch                   | 120. Service Branch Kanpur Branch    |
| 64. Mahuli Branch                     | 121. IGFC Jagdishpur Branch          |
| 65. Pakaddad Branch                   | 122. Industrial Finance Branch       |
| 66. Utraon Branch                     | 123. Overseas, Varanasi Branch       |
| 67. Chhivaiya Branch                  | 124. Overseas, Kanpur Branch         |
| 68. Ismailpur Branch                  | 125. Bhaptamau Branch                |
| 69. Mahuati Kolan Branch              | 126. Jail Road, Lucknow Branch       |
| 70. Tewaripur Branch                  | 127. Vikramaditya Marg, Lucknow      |
| 71. Chogara Branch                    | 128. Indira Nagar, Lucknow Branch    |
| 72. Kasaundar Branch                  | 129. Gomti Nagar, Lucknow Branch     |
| 73. Karmanpur Branch                  | 130. Nanuti Branch                   |
| 74. Mishrabazar Branch                | 131. Bani Branch                     |
| 75. Arrah Branch                      | 132. Saifabad Branch                 |
| 76. Kolhua Branch                     | 133. Lilapur Branch                  |
| 77. Satharia Industrial Estate Branch | 134. Kumbhi Aima Branch              |
| 78. Tewa Branch                       | 135. Mangarh Branch                  |
| 79. Bashahi Branch                    | 136. Agai Branch                     |
| 80. Bashahara Branch                  | 137. Nandmehar Branch                |
| 81. Etwakalan Branch                  | 138. Chandpur Branch                 |
| 82. Akhari Shahpur Branch             | 139. Deewanganj Branch               |
| 83. Singhia Branch                    | 140. Saeikpur Asniq Branch           |
| 84. Bhuresar Branch                   | 141. Bhelara Branch                  |
| 85. Laltara Branch                    | 142. Sonariyawan Branch              |
| 86. Birauli Branch                    | 143. Rousagaon Branch                |
| 87. Mohammadpur Anetha Branch         | 144. Biswan Khurd Branch             |
| 88. Kadipur Branch                    | 145. Kurwa Branch                    |
| 89. Bhadach Chauraha Branch           | 146. Bhelur Branch                   |
| 90. Chilmabazar Branch                | 147. Bilpur Branch                   |
| 91. Cjagaganj Branch                  | 148. Sisamau (Gonda) Branch          |
| 92. Keshavpur Branch                  | 149. Bisnupur Branch                 |
| 93. Indus. Area Khalilabad Branch     | 150. Sarai Khas Branch               |
| 94. Mundila Bazar Branch              | 151. Mangura Bazar Branch            |
| 95. Darhata Branch                    | 152. Banghustia Branch               |
| 96. Narayanpur (Parasia Mall) Branch  | 153. Nagaria Branch                  |
| 97. Begapur Branch                    | 154. Jharkpur Branch                 |
| 98. Tarkulwa Branch                   | 155. Fatehpur Gazi Branch            |

- |                                     |                               |
|-------------------------------------|-------------------------------|
| 156. Piparia Agra Branch            | 10. Vijaya Bank,              |
| 157. Pahrenau Branch                | P.B. No. 5,                   |
| 158. Rampura Mishra Branch          | 1st Floor,                    |
| 159. Service Branch, Lucknow Branch | Brothers Shopping Complex,    |
| 160. Kashi Vishwanath Temple Branch | Opp. Kailash Theatre,         |
| 161. Ambala City Branch, Ambala     | Kanchangal—671 315            |
|                                     | Kasaragod District, Kerala.   |
| 1. Vijaya Bank,                     | 11. Vijaya Bank,              |
| Region Office,                      | P.B. No. 1,                   |
| P. B. No. 53,                       | Main Road,                    |
| Parmod Building,                    | Kundothi—673 638,             |
| Cherutti Road,                      | Malapuram District, Kerala.   |
| Calikat—673 001.                    |                               |
| 2. Vijaya Bank,                     | 12. Vijaya Bank,              |
| P.O. Chippar,                       | 3/549-K, Sri Lakshmi Complex, |
| Via Uppala,                         | Wynad Road, East Nadikkav,    |
| Bayar Mulligadde—671 322,           | Calicut—673 001, Kerala.      |
| Kasaragod, Kerala.                  |                               |
| 3. Vijaya Bank,                     | 13. Vijaya Bank,              |
| P. B. No. 6, Block No. 7,           | P.B. No. 16,                  |
| Fort Road, Kannur—670 001,          | Kalakatta Building,           |
| Kerala.                             | Railway Station Rd.,          |
|                                     | Kasaragod—670 121,            |
|                                     | Kasaragod District, Kerala.   |
| 4. Vijaya Bank,                     | 14. Vijaya Bank,              |
| P.B. No. 507,                       | P.B. No. 1,                   |
| Indus Avenue Bldg.,                 | Fazeesh Building,             |
| Francis Road Junct,                 | Near Govt. Hospital,          |
| Challipuram, Calicut—673 002.       | T. C. Road,                   |
| Calicut District, Kerala.           | Kuthuparamba—670 643,         |
|                                     | Kannur District, Kerala.      |
| 5. Vijaya Bank,                     | 15. Vijaya Bank,              |
| Chattanchal—670 541,                | National Highway,             |
| P.O. Thekkil,                       | Edakkad—670 663,              |
| Kasaragod District, Kerala.         | Kannur District, Kerala.      |
| 6. Vijaya Bank,                     | 16. Vijaya Bank,              |
| P.B. No. 1,                         | Palace Road,                  |
| Padma Building,                     | Kottakal—676 503,             |
| VII 16E Main Road, 1st Floor,       | Malapuram District, Kerala.   |
| Kalpetta—673 121,                   |                               |
| Wynad District, Kerala.             |                               |
| 7. Vijaya Bank,                     | 17. Vijaya Bank,              |
| Padmavathi Building,                | P.B. No. 4, Main Road,        |
| Near Vivekananda Circle,            | Malapuram—676 505, Kerala.    |
| Kumbla—670 321,                     |                               |
| Kasaragod District, Kerala.         |                               |
| 8. Vijaya Bank,                     | 18. Vijaya Bank,              |
| Mashkoor Building,                  | P.B. No. 7,                   |
| Near Mahe Bridge,                   | 1st Floor,                    |
| Kalai, New Mahe—673 331,            | Kailas Building, Court Road,  |
| Kannur District, Kerala.            | Manjeri—676 121,              |
|                                     | Malapuram District, Kerala.   |
| 9. Vijaya Bank,                     | 19. Vijaya Bank,              |
| P.B. No. 6,                         | P.B. No. 2,                   |
| Pramod Building,                    | Main Road,                    |
| Cherutty Road,                      | Ponnani—679 577,              |
| Calicut—673 001, Kerala.            | Malapuram District, Kerala.   |

20. Vijaya Bank,  
P.B. No. 39,  
New Subca Building,  
Thazepalam,  
Tirur—676 101.  
Malapuram District, Kerala.
21. Vijaya Bank,  
Adkasthala, Panje Road,  
Kattukukke—670 552,  
Via Perla,  
Kasargod District, Kerala.
22. Vijaya Bank,  
Devi Krishna Shopping Centre,  
R.S. No. 272/3, Narayan Nagar,  
Badgara—673 101, Kerala.
23. Vijaya Bank,  
Ianchayath Commercial Complex,  
Near Railway Station,  
Udyavar, Manjeshwar—671 323,  
Kasargod District, Kerala.
24. Vijaya Bank,  
6/795, New Bus Stand cum Shopping  
Complex Building, Main Road,  
Quilandy—673 005, Kerala.
25. Vijaya Bank,  
P.B. No. 3,  
Opp. Railway Station,  
Trikarapur—670 310,  
Kasargod District, Kerala.
26. Vijaya Bank,  
R.S. No. 536/50,  
Madikai-Chalakadav,  
Post-Madikai—670 314,  
(Via Nilesishwar),  
Hosdurg Taluk, Kasrgod Distt. Kerala.
27. Vijaya Bank,  
Nedumpuramchal,  
P.O. Poola Kutty—670 650,  
Via Chittariparamba,  
Kannur District.
28. Vijaya Bank,  
P.B. No. 14,  
Main Road,  
Payyanur—670 307,  
Kannur District, Kerala.
29. Vijaya Bank,  
P.B. No. 111,  
17, National Highway,  
Taliparamba—670 141,  
Kannur District, Kerala.
30. Vijaya Bank,  
Mulinje Village,  
P.O. Uppala—670 322,  
Kasrgod District, Kerala.
31. Vijaya Bank, No. 5/289,  
Thoota—679 357,  
Via Anamangad, Kerala.
32. Vijaya Bank,  
Kalichamaram—670 314,  
Via Nilesishwar,  
Post Kari dalim,  
Kasargod District, Kerala.
33. Vijaya Bank,  
P.B. No. 9,  
Central Bazar,  
E.K.K. Building,  
Perintalmanna—679 322,  
Malapuram District, Kerala.
34. Vijaya Bank,  
P.B. No. 51,  
Jubilee Shopping Complex,  
Hospiral Road,  
Tellichery—670 101,  
Kannur District, Kerala.
35. Vijaya Bank,  
Door No. MP/IX/340,  
Calicut-Ooty Rd.,  
Meppadi—673 577,  
Wyanad District, Kerala.
36. Vijaya Bank,  
Main Road, Karaparamba,  
Kozhikod, Kerala—673 10.
37. Vijaya Bank,  
Badiadka—671 551,  
Kasargod District, Kerala.
38. Vijaya Bank,  
Poona Bangalore Road,  
Bankapur Chowk,  
Old Hubli,  
Hubli—580 024, Karnataka.
39. Vijaya Bank,  
Enkay Complex, Keshavapura,  
Hubli—580 023,  
Karnataka.  
'B' Region
40. Vijaya Bank,  
P.B. No. 42,  
No. 1828, Sunder Complex,  
Dhulia—424 001.  
Maharashtra.
41. Vijaya Bank,  
252-C, 28/3, 1st Floor,  
Nasthe Complex, Opp. Udyog Bhavan,  
Assembly Road, Near Basant Bihar Talkies,  
Kolhapur—416 001.  
Maharashtra.

1. Central Bank of India,  
Gumtala Branch,  
Amritsar, Punjab
  2. Central Bank of India,  
Palasaur Branch,  
Amritsar, Punjab
  3. Central Bank of India,  
Tarn Taran,  
Amritsar, Punjab.
  4. Central Bank of India,  
Bhagtanwala Gate, Amritsar Branch,  
Amritsar, Punjab.
  5. Central Bank of India,  
Guru Bazar, Amritsar Branch,  
Amritsar, Punjab.
  6. Central Bank of India,  
Dewanhat Branch,  
Cooch Behar, West Bengal,
  7. Central Bank of India,  
Chandamari Branch. Cooch Vihar  
West Bengal.
  8. Central Bank of India,  
Officer's Training College,  
Salt Lake, West Bengal,  
Calcutta.
- List of Branches to be notified under Rule 10(4) of  
Official Language Rules, 1976.
1. Sydicate Bank,  
Mumbai Ghatkoper Branch,  
Garden View, Plot No. 55  
Vallabh Bagh Lane,  
Ghatkoper East,  
Mumbai-400 077.
  2. Sydicate Bank,  
Mumbai Kolivada Branch,  
226/227 A, Ram Nivas,  
Kolivada Sion (East),  
Mumbai-400022.
  3. Syndicate Bank,  
Staff Tarianing College,  
Jagdceep Cottage,  
1st Floor IV Road, Khar (West).  
Mumbai-400 054.
  4. Syndicate Bank,  
Uran Mora Branch,  
Bungalow No. 6976,  
Uran Mora Road, Uran Mora,  
Raighad Distt.  
Maharastra State.  
Pin Code-410 701
  5. Syndicate Bank,  
Panvel Branch  
166, M.G.H. Society, V.B. Phadke Road,  
P.B. No. 134, Panvel, Raighad Distt.  
Maharastra, State.  
Pin Code-410206.
  6. Syndicate Bank,  
Goa Kavlem Branch,  
Tip Top Mansion,  
Dhavli Margoa Road,  
Ponda,  
Goa-403 401,
  7. Syndicate Bank  
Goa Mormugao Branch,  
Near Marmugao Port Trust,  
Mormugao Harbour,  
Goa-403 803,
  8. Syndicate Bank,  
Goa Betim Branch,  
Main Road Betim  
Bardez — Goa  
Goa-403 101
  9. Syndicate Bank,  
Goa Sanquilim Branch,  
Main Road  
Sanquilim Goa,  
Bicholim Tq.  
Pin Code-403 505.
  10. Syndicate Bank,  
Goa Curchorem Branch,  
1st Floor Church Building  
Station Road, P.B.N 10,  
Curchorem Goa,  
Pin-403 706.
  11. Syndicate Bank,  
Goa Caranzalem Branch,  
Caranzalem, Goa,  
Pin-403 002.
  12. Syndicate Bank,  
Malvan Branch, House No. 381,  
Somvarpeth Malvan,  
Sindhudurg Distt.  
Maharastra State,  
Pin -416 606.
  13. Syndicate Bank,  
Mavinkurva Branch,  
Near Navadurgi Temple.  
Mavinkurve,  
Via Honnavar,  
Uttar Kannada Distt.  
Karnataka-581 335.

14. Syndicate Bank,  
Gundalli Branch,  
House No. 85, Main Road,  
Gundalli, Uttara Kannada Dist.  
Karnataka—581 329.
15. Syndicate Bank,  
Honnavar Branch,  
B 2365 Bazar Road, Honnavar,  
Uttara Kannada Dist.  
Karnataka—581 334.
16. Syndicate Bank,  
Aversa Branch,  
Gutino Building, Main Road,  
Aversa, Ankola Tq, Uttar Kannada  
Dist. Karnataka—581 316.
17. Syndicate Bank.  
Manki Branch,  
Super Bazar, Manki,  
Honnavaara Tq.  
Uttara Kannada Dist.  
Karnataka—581 348.
18. Syndicate Bank,  
Mysore Saraswathipuram Branch  
D. No. 2961/38A  
5th Cross, 5th Main Road,  
Saraswathipuram,  
Mysore—570 009.
19. Syndicate Bank,  
Mysore Vanivilas Branch,  
D. No. 2997/3  
Sudarshan Temple Road,  
Vanivilas Mohalla,  
Mysore—570 002.
20. Syndicate Bank,  
Mandya Sugar Town Branch,  
1123, Ist Main Road,  
Eastern Extn. P.B.No. 25,  
Mandya—571 401.
21. Syndicate Bank,  
Staff Training College,  
4—4—286/297, IInd Floor,  
Mithila Complex,  
Bank Street, Sultan Bazar, Kothi,  
Hyderabad—500 195.
22. Syndicate Bank,  
Mysore Bannimantap Branch,  
D. No. 154, Bannimantap Road,  
Near Hotel Highway, P.B.No. 1.  
Mysore, Karnataka,  
Pin Code-570 015.

23. Syndicate Bank,  
Hassan Branch,  
1st Floor, Vidya Bhavan Building,  
Bus Stand Road,  
P.B.No. 25 Hassan,  
Karnataka State,  
Pin Code - 573 201.
24. Syndicate Bank,  
Bangalore Chamrajpet Branch,  
Royan Circle,  
P.B. No. 1815,  
Chamrajpet,  
Bangalore - 560 018.
25. Syndicate Bank,  
Agaciam Branch,  
Confraria Building,  
Baixi Do Igreja,  
Goa - 403 204.

List of Branches to be notified Rule 10(4)  
of Official Language Rules 1976

1. Andhra Bank  
No. 1-90, Main Road,  
Uppada Kothapalli Branch,  
Pithapuum Taluq  
Andhra Pradesh,  
Pin-533447
2. Andhra Bank,  
Main Road,  
Rajavommangi Branch,  
East Godavari Dist,  
Andhra Pradesh,  
Pin-533436
3. Andhra Bank,  
G. T. Road,  
Annavaram Branch,  
East Godavari Dist.  
Andhra Pradesh,  
Pin-533406.
4. Andhra Bank,  
Opp. to RTC Complex,  
Mahalaxmi Bhavan,  
Rayavaram Branch,  
East Godavari Dist,  
Andhra Pradesh,  
Pin-533346.
5. Andhra Bank,  
Teki Branch,  
Kapileshwarapuram Mandal,  
East Godavari Dist.  
Andhra Pradesh,  
Pin-533312.

- |   |   |
|---|---|
| 6. Adaihra Bank,<br>Main Road,<br>In jaram Branch,<br>Tallarevi Mandal,<br>East Godavari Dist,<br>Andhra Pradesh,<br>Pin-533465.            | Andhra Pradesh,<br>Pin-530011.  |
| 7. Andhra Bank,<br>Regional Office,<br>220, P. B. No. 1,<br>G. T. Road,<br>Srikakulam 532001.   | 15. Andhra Bank,<br>Maharanipet,<br>K. G. H. Branch,<br>Vishakhapatnam,<br>Andhra Pradesh,<br>Pin-530002.                           |
| 8. Andhra Bank,<br>Special SSI Branch,<br>12.41.1, Gajuvaka,<br>Vishakhapatnam,<br>Andhra Pradesh,<br>Pin-530026.                           | 16. Andhra Bank,<br>Maharanipet Branch,<br>Vishakhapatnam,<br>Andhra Pradesh,<br>Pin-530002.  |
| 9. Andhra Branch,<br>Special Agrl. Fin. Branch,<br>18-1-28, 1st Floor,<br>Maharanipet,<br>Vishakhapatnam,<br>Andhra Pradesh,<br>Pin-530002. | 17. Andhra Bank,<br>D. L. Puram Branch,<br>Tallarevu Mandal,<br>East Godavari Dist.<br>Andhra Pradesh,<br>Pin-533465.               |
| 10. Andhra Bank,<br>M. V. P. Colony Branch,<br>Vishakhapatnam,<br>Andhra Pradesh,<br>Pin-530017.  | 18. Andhra Bank,<br>Markondputti Branch,<br>Makuva Mandal,<br>Vijayanagram Dist,<br>Andhra Pradesh,<br>Pin-533547.                  |
| 11. Andhra Bank,<br>Opp. to Sheeshmahal Theatre,<br>Main Road,<br>Ganuvaka Branch,<br>Vishakhapatnam,<br>Andhra Pradesh,<br>Pin-530026.     | 19. Andhra Bank,<br>Ravivalasa Branch,<br>Garugubilli Mandal,<br>Vijayanagaram Dist,<br>Andhra Pradesh,<br>Pin-532525.              |
| 12. Andhra Bank,<br>Service Centre,<br>Scethammadhara,<br>Vishakhapatnam,<br>Andhra Pradesh,<br>Pin-530011.                                 | 20. Andhra Bank,<br>Kotah Srirangarajpuram Branch,<br>Via Gajapathi Nagram,<br>Vijayanagram Dist,<br>Andhra Pradesh,<br>Pin-535270. |
| 13. Andhra Bank,<br>Trunk Road,<br>Malkapuram Branch,<br>Vishakhapatnam,<br>Andhra Pradesh,<br>Pin-530011.                                  | 21. Andhra Bank,<br>Plot No. 4,<br>Akkayyapalem Branch,<br>Vishakhapatnam,<br>Andhra Pradesh,<br>Pin-530016.                        |
| 14. Andhra Bank,<br>R. K. Peach Road,<br>R. K. Mission Branch,<br>Vishakhapatnam,   |   |

(बीमा प्रभाग)

नई दिल्ली, 12 नवम्बर, 1997

कां०आ० 2946-बीमा अधिनियम, 1938 (1938 का 4) की धारा 27(क) द्वारा धारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इसके द्वारा डिमकास्ट एंड फ इन्से हाउस ऑफ इंडिया लि०

(डीएफएचआई) तथा सिक्यूरिटीज ट्रेडिंग कॉरपोरेशन ऑफ इंडिया लि० (एस टी सी आई) में हुण्डियों को पुनः धुनाने की स्कीम आदि के अन्तर्गत मांग/सूचना जमा, वाणिज्यिक हुण्डियों जैसे विभिन्न पूंजी बाजार साधनों में उच्च धारा के प्रयोजनार्थ अर्जित निवेश के रूप में निवेशों के नियोजन की घोषणा करती है।

[फाइल नं० 131 (40)/नि० /IV/88]

राजेंद्र प्रसाद, अधर सचिव

(Insurance Division)

New Delhi, the 12th November, 1997

S.O. 2946.—In exercise of the powers conferred by clause (q) of sub-section (1) of Section 27(A) of the Insurance Act, 1938 (4 of 1938), the Central Government hereby declares placement of funds in various money market instruments like Call/Notice Deposits, Commercial Bills under Bills Rediscounting Scheme, etc. with Discount and Finance House of India Ltd. (DFHI) and Securities Trading Corporation of India Ltd. (STCI) as Scheduled Investment for the purpose of the said section.

[F. No. 131(40)/Inv. IV/88]

RAJENDRA PRASAD, Under Secy.

वाणिज्य मंत्रालय

आदेश

नई दिल्ली, 3 नवम्बर, 1997

का०आ० 2947.—भारत के निर्यात व्यापार के विकास के लिए पशु केसिम्स के निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण के अधीन रहते हुए बनाए गए कर्तव्य प्रस्ताव निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उपनियम (2) की अपेक्षाानुसार भारत सरकार के वाणिज्य मंत्रालय के आदेश सं० का०आ० 132(अ) तारीख 21 फरवरी, 1997 द्वारा राजपत्र असाधारण भाग-2, खंड 3, उपखंड (ii) तारीख 21 फरवरी, 1997 में प्रकाशित किए गए थे।

और उन सभी व्यक्तियों से जिनके हितसे प्रभावित होने की संभावना थी, उक्त आदेश के राजपत्र से प्रकाशन से पैंतालिस दिन के भीतर आक्षेप और सुझाव आर्पित किए गए थे।

और उक्त राजपत्र की प्रतियां जनता को 21 फरवरी, 1997 को उपलब्ध करा दी गयी थी।

और उक्त प्रारूप पर जनता से प्राप्त आक्षेपों और सुझावों पर केन्द्रीय सरकार ने विचार कर लिया है।

और मानकों की उच्च क्वालिटी बनाए रखने के लिए यह आवश्यक है कि वह आयातकर्ता देशों के स्वास्थ्य संबंधी अपेक्षाओं के अनुसार होंगी जैसी कि वे यूरोपियन समुदाय के तारीख 18-3-94 के एकीकृत निर्देश सं० 94/187/ईओ और तारीख 17-12-92 के एकीकृत निर्देश सं० 92/118/ईसी में दी गयी हैं।

अतः भारत सरकार निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और पशु केसिम्स से संबंधित वाणिज्य मंत्रालय की अधिसूचना सं० का०आ० 2283 तारीख 24 अगस्त, 1994 का अधिग्रहण करते हुए भारत के सुदृढ़ निर्यात व्यापार के विकास के लिए निर्यात निरीक्षण परिषद से परामर्श के पश्चात् उसकी यह राय होने पर कि ऐसा करना आवश्यक और समीचीन है:

(1) पशु केसिम्स का निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण किया जाएगा।

(2) क्वालिटी नियंत्रण निरीक्षण का प्रकार पशु केसिम्स के निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1997 के अनुसार पशु केसिम्स के निर्यात से पूर्व अधिसूचना में वर्णित क्वालिटी नियंत्रण और निरीक्षण का प्रकार लागू होगा।

(3) निम्नलिखित को मान्यता देना:

(क) राष्ट्रीय और अंतर्राष्ट्रीय मानकों और निर्यात निरीक्षण परिषद द्वारा मान्यता-प्राप्त अन्य निकायों के मानकों को,

या

(ख) श्रेणी पदनाम पशु केसिम्स श्रेणीकरण और विपणन नियम, 1964 के अधीन बनाए गए हों,

या

(ग) निर्यातकर्ता द्वारा घोषित और श्रेता तथा विप्रेता के मध्य हुए निर्यात सविदा के अनुसार हों।

(4) पशु केसिम्स के ऐसे अंतर्राष्ट्रीय व्यापार को प्रोत्साहित करना जिसके साथ निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 के अधीन स्थापित या मान्यता प्राप्त अधिकारणों द्वारा निरीक्षण का प्रमाण पत्र जारी न किया गया हो।

इस आदेश की कोई भी बात भावी श्रेताओं को पशु केसिम्स के ऐसे वास्तविक नमूनों के भूमि या समुद्र या वायु मार्ग द्वारा निर्यात पर लागू नहीं होगी जिनका भूख्य समय-समय पर नीति तथा अधिकारित अनुज्ञेय सीमाओं से अधिक नहीं होगा जहां ऐसा प्रावधान नहीं है वहां निःशुल्क नमूनों की सीमा 1000/-रुपये से अधिक नहीं होगी।



इस आदेश में पशु कैसिंग्स से अभिप्राय स्वस्थ पशुओं के वध जो कि प्राधिकृत वधशाला में संसाधित किया जाता है

[फाइल नं० 6/1/96-ईआईएण्ड ईपी]

प्रभ दास, निदेशक

## MINISTRY OF COMMERCE

### ORDER.

New Delhi, the 3rd November, 1997

S.O. 2947.—Whereas for the development of the export trade of India, certain proposals for subjecting Animal Casings to quality Control and Inspection prior to export, were published as required by sub-rule (2) of rule 11 of the Export Quality Control and Inspection Rules, 1964, in the Gazette of India, Extraordinary Part II, Section 3, Sub-section (ii), dated the 21st February, 1997 under the Order of the Government of India in the Ministry of Commerce Number S.O. 132(E), dated the 21st February, 1997;

And whereas the objections and suggestions were invited from all persons likely to be affected thereby, within a period of forty five days of the publication of the said order in the Official Gazette ;

And whereas the copies of the said Gazette were made available to the public on the 21st February, 1997.

And whereas the objections and suggestions received from the public on the said draft have been considered by the Central Government ;

And whereas it is necessary to maintain the highest quality standard as per the health requirement of the importing countries that would encompass the standards like unified Directives Number 92/118/EEC, dated the 17th December, 1992 and 94/187/EC dated the 18th March, 1994 of the European Community.

Now, therefore, in exercise of the powers conferred by Section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), and in supersession of the notification of the Government of India, in the Ministry of Commerce Number S.O. 2283 dated the 24th August, 1994 relating to Animal Casings, except as respects things done or omitted to be done before such supersession, the Government of India after consulting the Export Inspection Council being of the opinion that it is necessary and expedient to do so for the development of the export trade of India, hereby;

- (1) notifies that Animal Casings shall be subjecte to quality control and inspection prior to export ;
- (2) specifies that the type of quality control and inspection shall be in accordance with the export of Animal Casings (Quality Control and Inspection) Rules 1997 as the type of Quality Control and Inspection which shall be applied to such Animal Casings prior to export, in the notification ;
- (3) recognises the specifications ;
  - (a) National and International Standards and Standards of other bodies recognised by Export Inspection Council ;

OR

- (b) Grade designation formulated under the Animal Casings Grading and Marking Rules, 1964 ;

OR

- (c) The specifications declared by the exporter to be the agreed specifications of the export contract between buyer and the exporter.

- (4) Prohibits the export, in the course of international trade of Animal Casings unless it conforms to the standards specifications applicable to it, and is accompanied by a certificate of inspection issued by any of the Agencies established or recognised under Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).

Nothing in this order shall apply to the export by land or sea or air of bonafide samples of animal casings to prospective buyers, the values of which shall not exceed permissible limits as laid down in Exim-Policy from time to time. Where no such provision exist the value limit of sample(s) shall not exceed Rs. 1,000.

In this order, Animal Casings means processed intestines of a healthy animal slaughtered in an authorised slaughter house.

[File No. 6/1/96-EI&EP]

PRABH DAS, Director

नई दिल्ली, 3 नवम्बर, 1997

का०आ० 2948.—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, पशु कैसिंग्स के (क्वालिटी नियंत्रण और निरीक्षण) से संबंधित नियम, 1994 की अधिसूचना संख्या का०आ० 2284 तारीख 24 अगस्त, 1994 को अधिभूक्त करते हुए सिवाय उन बातों के जो ऐसे अधिभूक्तन से पूर्व की गयी हैं या जिनका लोप किया गया है, निम्नलिखित नियम बनाती है, अर्थात् :—

#### 1. संक्षिप्त नाम और प्रारम्भ :

- (1) इन नियमों का संक्षिप्त नाम पशु कैसिंग्स का निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1997 होगा ।
- (2) ये राजपत्र में प्रकाशन की तारीख से प्रवृत्त होंगे ।

#### भाग-I

यूरोपियन समुदाय (ईयू) तथा अन्य देशों को निर्यात के मामले में लागू, जो यह मांग करते हैं कि पशु कैसिंग्स को निम्नलिखित आवश्यकताओं का पालन करना चाहिए ।

#### 2. परिभाषा :

इस भाग में जब तक कि संदर्भ से अन्यथा अर्थक्षत न हो, निम्नलिखित परिभाषाएं लागू होंगी :

- (क) “अधिनियम” से निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) अभिप्रेत है,
- (ख) “अभिकरण” से अधिनियम की धारा 7 के अंतर्गत केन्द्रीय सरकार द्वारा स्थापित या मान्यता प्राप्त कोई भी निर्यात निरीक्षण अभिकरण या भारत सरकार के कृषि विपणन सलाहकार या उनकी ओर से इस संबंध में निरीक्षण के लिए प्राधिकृत कोई भी अधिकारी अभिप्रेत है ।

(ग) "पशु" से निर्माणांकित में से किसी भी प्रकार का पशुधन अभिप्रेत है, अर्थात् :-

1. पशु
2. भैंस
3. भेड़
4. बकरी तथा
5. सूअर

(घ) "पशु केसिंग्स" से प्राधिकृत वधशाला में वध किए गए स्वस्थ पशु की प्रसंस्कृत अंतर्द्वियां अभिप्रेत हैं जिनको केसिंग्स भी कहा जा सकता है।

(ङ) "कृषि और प्रसंस्कृत खाद्य उत्पाद निर्यात विकास प्राधिकरण" से कृषि और प्रसंस्कृत खाद्य उत्पाद निर्यात विकास प्राधिकरण अधिनियम, 1985 के अधीन स्थापित कृषि और प्रसंस्कृत खाद्य उत्पाद निर्यात विकास प्राधिकरण अभिप्रेत है।

(च) "परिषद" से अधिनियम की धारा 3 के अधीन स्थापित निर्यात निरीक्षण परिषद अभिप्रेत है।

(छ) "स्क्षम प्राधिकारी" से अधिनियम की धारा 7 के अधीन मान्यता प्राप्त भारत सरकार के ग्रामीण क्षेत्र और रोजगार मंत्रालय ग्रामीण विकास विभाग का विपणन और निरीक्षण निदेशालय (डीएमआई) अभिप्रेत है।

(ज) "अंतर्द्वियों" से पशु की छोटी तथा बड़ी आंठें या कसिका या ग्रासनली या श्वास नली या पेशाब की थैली अभिप्रेत है।

(झ) "प्रसंस्कृत अंतर्द्वियों" से पशु की साफ की हुई, खुरची हुई तथा 30 दिनों तक सोडियम क्लोराइड नमक में लगाई गयी या विरंजित की हुई या खुरचने के बाद सुखाई गयी अंतर्द्वियां अभिप्रेत है।

(ण) "वध करने" से किसी प्राधिकृत वधशाला या बूचड़खाने में खाने के लिए पशु को मारना अभिप्रेत है जिसमें ऐसा मानवीय तरीका अपनाया जाता है जो कि पशुओं के प्रति क्रूरता निवारण अधिनियम, 1960 (1960 का 54) के उपबंधों के अनुसार हो जहां पशु की मृत पूर्व तथा मृत-पश्चात् जांच की जाती है।

(त) "वधशाला या बूचड़खाने" से ऐसे कोई परिसर अभिप्रेत हैं जो मानव खपत के लिए पशुओं का वध करने के लिए प्राधिकारी द्वारा प्राधिकृत हो।

### 3. अनुपालन का आधार :

निर्यात के लिए आश्रित पशु केसिंग्स की जांच यह देखने के उद्देश्य से की जाएगी कि उसका प्रसंस्करण पैकिंग तथा भंडारण अभिकरण द्वारा अनुमोदित एवं एपीडा द्वारा पंजीकृत संयंत्रों में किया गया है तथा उत्पाद अधिनियम

की धारा 6 के अधीन केन्द्रीय सरकार द्वारा मान्यता प्राप्त मानक विनिर्देशों के अनुरूप है और परिषद द्वारा समय-समय पर जारी दिशा निर्देशों के अनुसार अभिकरण द्वारा प्रत्येक परेषण का नमूना लेकर इसकी जांच की गयी है।

4. निर्यात के लिए पशु केसिंग्स निम्नांकित शर्तों के अधीन होगा :

4.1 उपाबंध-1 के अनुसार केसिंग्स को इकट्ठा करने तथा परिवहन की आवश्यकताओं का निश्चित रूप से पालन करना होगा।

4.2 उपाबंध-2 के अनुसार उन्हें प्रसंस्करण संयंत्र की आवश्यकताओं को निश्चित रूप से पूरा करना होगा।

5. उपाबंध iii और iv के अनुसार उन्हें क्रमशः पशु केसिंग्स प्रसंस्करण संयंत्र के रजिस्ट्रीकरण तथा पशु केसिंग्स के प्रमाणन की प्रक्रिया का पालन करना ही होगा।

6. पशु का स्वास्थ्य प्रमाणपत्र जारी करना :

आवेदन प्राप्त होने पर, अभिकरण उपरोक्त निर्दिष्ट किए गए निरीक्षण के आधार पर अपना यह समाधान करने के पश्चात् कि पशु केसिंग्स का परेषण के प्रसंस्करण और पैकिंग इस पर लागू विनिर्देश के अनुसार की गयी है। अनुसूची vii में दिए गए प्रश्न में पशु स्वास्थ्य प्रमाण पत्र जारी करेगा। उक्त पर्यवेक्षण, निरीक्षण और इन नियमों का पालन सुनिश्चित करना अभिकरण के लिए वैध होगा।

जहां अभिकरण का समाधान नहीं होता है वहां वह पशु स्वास्थ्य प्रमाण पत्र जारी करने से इंकार कर देगा। परेषण की जांच के ठीक पश्चात् ऐसे इंकार की सूचना उसके कारणों सहित निर्यातक को तुरन्त भेज दी जाएगी।

पशु स्वास्थ्य प्रमाण पत्र के सूखे केसिंग्स के मामले में नब्बे दिनों की अधिकतम अवधि के लिए यह नमक लगाए हुए पशु केसिंग्स के मामले में पैंतालीस दिनों के लिए या उस अवधि के लिए आयातक द्वारा विहित की जाए जो भी कम हो वैध होगा।

यदि उस परेषण का पोत लदान प्रमाणपत्र की विधि-मान्यता अवधि के भीतर नहीं होता है तो निर्यातकर्ता को पुनः विधि मान्यकरण हेतु प्रमाणपत्र प्रस्तुत करने की अनुमति होगी। ऐसे मामलों में विधि मान्यता अवधि पशु के सूखे केसिंग्स के मामले में पैंतालीस दिनों की अवधि के लिए या पशु के नमक लगाए गए केसिंग्स के मामले में पन्द्रह दिनों के लिए या आयातकर्ता द्वारा विहित अन्तिम पोत लदान की तारीख तक के लिए बढ़ाई जाएगी।

प्रमाण पत्र की दूसरी प्रति 500/-रु० के भुगतान पर और यह घोषणा करने पर जारी की जाएगी कि प्रमाण पत्र खो गया था या फट गया था और यदि मूल प्रमाण पत्र मिल जाता है तो उसे लौटा दिया जाएगा। प्रमाण पत्र की दूसरी प्रति की विधिमाम्यता वैसी ही होगी जो कि मूल प्रति की होती है।

## 8. निरीक्षण फीस :

निरीक्षण फीस प्रति बस हैक के लिए 2.00 रुपए होगी जो कि स्थानीय निरीक्षण के मामलों में प्रति परेण अधिकतम 500/- रुपए तथा स्टेशन के बाहर के निरीक्षण के मामलों में 1,000/- रुपए होगी तथा उसकी बसूली सक्षम प्राधिकरण द्वारा प्रसंस्करणकर्ता और या निर्यातकर्ता से की जाएगी ।

टिप्पण : निर्यातकर्ता द्वारा प्रत्येक परेण के लिए संदेय निरीक्षण फीस की रकम निकटतम रुपए तक पूर्णांकित की जाएगी और इस प्रयोजन के लिए जहां ऐसी रकम में रुपए का एक भाग सम्मिलित है, तब वहां ऐसा भाग पचास पैसे या ज्यादा है वहां तब उसे एक रुपए तक पूर्णांकित किया जाएगा और यदि वह भाग पचास पैसे से कम है तो उसे छोड़ दिया जाएगा ।

## भाग-II

पशु केसिग्स के श्रेणीकरण और चिन्हांकन के संबंध में सभी देशों को किए जाने वाले निर्यात पर लागू ।

## 2. परिभाषा :

इस भाग में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो, निम्नांकित परिभाषाएं लागू होंगी :

(क) "अधिनियम" से निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) अभिप्रेत है,

(ख) "अधिकरण" से अधिनियम की धारा 7 के अंतर्गत केन्द्रीय सरकार द्वारा स्थापित या मान्यता प्राप्त कोई भी निर्यात निरीक्षण अधिकरण या भारत सरकार के कृषि विपणन सलाहकार या उनकी ओर से इस संबंध में निरीक्षण के लिए प्राधिकृत कोई भी अधिकारी अभिप्रेत हैं ।

(ग) "पशु" से निम्नांकित में से किसी भी प्रकार का पशुधन अभिप्रेत है, अर्थात् :—

1. पशु
2. भैंस
3. भेड़
4. बकरी तथा
5. सूअर

(घ) "एनीमल केसिग्स" से प्राधिकृत वधशाला में बध किए गए स्वस्थ पशु की प्रसंस्कृत अंतडियां अभिप्रेत हैं जिनको कि "केसिग्स" भी कहा जा सकता है ।

(ङ) "कृषि और प्रसंस्कृत खाद्य उत्पाद निर्यात विकास प्राधिकार" से कृषि और प्रसंस्कृत खाद्य उत्पाद निर्यात विकास प्राधिकरण अधिनियम, 1985

के अधीन स्थापित कृषि और प्रसंस्कृत खाद्य उत्पाद निर्यात विकास प्राधिकरण अभिप्रेत है ।

(च) "परिषद" से अधिनियम की धारा 3 के अधीन स्थापित निर्यात निरीक्षण परिषद अभिप्रेत है ।

(छ) "अंतडियों" से पशु की छोटी तथा बड़ी आंतें या कसिका या आसनली या श्वास नली या पेशाब की थैली अभिप्रेत है ।

(ज) "प्रसंस्कृत अंतडियां" से पशु की साफ की हुई, खुरची हुई तथा 30 दिनों तक सोडियम क्लोराइड नमक में लगाई गयी या विरंजित की हुई या खुरचने के बाद सुखाई गयी अंतडियां अभिप्रेत हैं ।

(झ) "वध" करने से किसी प्राधिकृत वधशाला या बूचड़खाने में खाने के लिए पशु को मारना अभिप्रेत है जिसमें ऐसा मानवीय तरीका अपनाया जाता है जो कि पशुओं के प्रति क्रूरता निवारण अधिनियम, 1960 (1960 का 54) के उपबंधों के अनुसार हो जहां पशु की मृत-पूर्व तथा मृत-पश्चात् जांच की जाती है ।

(ण) "वधशाला या बूचड़खाने" से ऐसी कोई परिसर अभिप्रेत है जो मानव खपत के लिए पशुओं का वध करने के लिए प्राधिकारी द्वारा प्राधिकृत हो ।

## 3. निरीक्षण का आधार :

निर्यात के लिए आशयित पशु केसिग्स की जांच यह देखने के उद्देश्य से की जाएगी कि उसका प्रसंस्करण, पैकिंग तथा भंडारण अधिकरण द्वारा मान्यता प्राप्त संयंत्रों में किया गया है तथा उत्पाद अधिनियम की धारा 6 के अधीन केन्द्रीय सरकार द्वारा मान्यता प्राप्त मानक विनिर्देशों के अनुरूप है और परिषद द्वारा समय-समय पर जारी विशा निर्देशों के अनुसार अधिकरण द्वारा प्रत्येक परेण का नमूना लेकर इसकी जांच की गयी है ।

## 4. निरीक्षण की प्रक्रिया :

1. ऐसा कोई निर्यातकर्ता जो पशुओं की केसिग्स का निर्यात करना चाहता है, निकटतम अधिकरण को या अधिकरण द्वारा इस निमित्त प्राधिकृत किसी अधिकारी को निरीक्षण के लिए आवेदन (दो प्रतियों में) प्रस्तुत करेगा, जिसमें निर्यात किए जाने वाले परेण का विस्तृत विवरण देना होगा ।

2. उपनियम (1) के अधीन आवेदन निम्नानुसार प्रस्तुत किया जाएगा :

(क) जहां अधिकरण का कार्यालय है, उसी जगह पर स्थित परिसर में किए जाने वाले निरीक्षण के मामले में कम से कम दो दिन पहले, और

(ख) जहाँ अभिकरण का कार्यालय, यदि उस जगह से भिन्न अन्यत्र किसी परिसर में निरीक्षण किया जाना है तो आवेदन कम से कम दस दिन पहले प्रस्तुत करना होगा।

3. उपनियम (2) में निर्दिष्ट आवेदन पत्र की प्राप्ति के पश्चात् वह अभिकरण निर्यात निरीक्षण परिषद द्वारा इस निमित्त समय-समय पर जारी किए गए दिशा निर्देशों के अनुसार पशु की केसिम्स के परेण का निरीक्षण करेगा, जिससे कि नियम 3 के अनुसार परेण के श्रेणीकरण और पैकिंग के बारे में उसका समाधान हो सके। अभिकरण ऐसा निरीक्षण कर सके इसके लिए निर्यातकर्ता उसे सभी आवश्यक सुविधाएं उपलब्ध कराएगा।

4. यदि जांच के पश्चात् अभिकरण का इस बात से समाधान हो गया कि निर्यात किए जाने वाले पशु की केसिम्स का परेण नियम 3 में निर्दिष्ट विनिर्देशों की अपेक्षाओं का पालन करता है, तो अभिकरण परेण को निर्यात योग्य घोषित करते हुए, प्रमाण पत्र जारी करेगा।

5. यदि अभिकरण का इस प्रकार का समाधान नहीं होता है तो वह ऐसा प्रमाण पत्र जारी करने से इंकार कर देगा और ऐसी इंकार किए जाने की सूचना लिखित रूप में उसके कारणों सहित निर्यातकर्ता को भेज देगा।

6. प्रमाणन के पश्चात्, अभिकरण को यह अधिकार होगा कि वह किसी भी स्थान पर भंडारण, अभिवहन या वास्तविक लदान के पहले पोत पर परेण की क्वालिटी का पुनः आकलन कर सकता है।

7. यदि इनमें से किसी भी अवस्था में, परेण मानक विनिर्देशों के अनुरूप नहीं पाई जाती है तो उस स्थिति में प्रारम्भ में जारी किया गया निरीक्षण प्रमाणपत्र वापिस ले लिया जाएगा।

#### 5. पैकिंग और विपणन :

1. ऐसा कोई निर्यातकर्ता जो निर्यात के लिए पशुओं की केसिम्स को पैक करने का आशय रखता है, वह पैकिंग मानक पैकेजों में या श्रेता की विनिर्दिष्ट अपेक्षाओं के अनुसार करेगा।

2. पैकेजों पर निम्नलिखित सूचना स्टैसिल/मुद्रित की जाएगी :

- (क) निर्यातकर्ता का नाम और पता,
- (ख) मद का नाम और उसकी किस्म,
- (ग) श्रेणी
- (घ) लॉट नम्बर और पैकिंग की तारीख
- (ङ) सकल वजन तथा शुद्ध वजन,
- (च) भारत का उत्पाद
- (छ) पोत-लदान संबंधी चिन्हांकन

#### 6. निरीक्षण का स्थान :

इन नियमों के प्रयोजन के लिए निरीक्षण निर्यातकर्ता के परिसर में, जहाँ निरीक्षण के लिए वस्तुएं प्रस्तुत की जाती हैं, वहाँ किया जाएगा, परन्तु यह तब जब कि वहाँ जांच के लिए पर्याप्त सुविधाएं हों।

#### 7. निरीक्षण की फीस :

प्रसंस्करणकर्ता/निर्यातकर्ता द्वारा परेणवार निरीक्षण के लिए सदैव निरीक्षण फीस, परेण के एक ० ओ ० बी ० मूल्या के 0.4% की दर से होगी।

टिप्पण : निर्यातकर्ता द्वारा प्रत्येक परेण के लिए सदैव निरीक्षण फीस की रकम निकटतम रुपए तक पूर्णकृत की जाएगी और इस प्रयोजन के लिए जहाँ ऐसी रकम में रुपए का एक भाग सम्मिलित है, तब वहाँ ऐसा भाग पचास पैसे या ज्यादा है वहाँ तब उसे एक रुपया तक पूर्णकृत किया जाएगा और यदि वह भाग पचास पैसे कम है तो उसे छोड़ दिया जाएगा।

#### 8. अपील :

1. ऐसा कोई निर्यातकर्ता जो इन नियमों के भाग-1 या भाग-2 में यथा विहित निरीक्षण प्रमाणपत्र जारी करने के अभिकरण के इंकार किए जाने से व्यथित हो, वह ऐसे इंकार किए जाने के दस दिन के भीतर उक्त अभिकरण को अपील कर सकेगा जो उसे ऐसे विशेषज्ञों के एक पैनल के पास निर्देशित करेगा जिसमें केन्द्रीय सरकार द्वारा इस प्रयोजन के लिए नियुक्ति से अनून् किन्तु सात व्यक्तियों से अनाधिक सदस्य होंगे।

2. विशेषज्ञों के पैनल के कुल सदस्यों में से कम से कम दो तिहाई सदस्य गैर सरकारी होंगे।

3. पैनल की गणपूर्ति तीन सदस्यों से होगी।

4. अपील का निपटान उसकी प्राप्ति की तारीख से 15 दिन के भीतर कर दिया जाएगा।

#### उपाध-1

#### 1. संग्रहण और परिवहन :

1.1 आंतें बूचड़खाने में काटे गए स्वस्थ पशुओं से ही निकाली जानी चाहिए।

1.2 बूचड़खाने से "केसिम्स" प्रसंस्करण संयंत्र तक आंतों का परिवहन पर्याप्त स्वास्थ्यकर घशाओं में किया जाना चाहिए जिससे कि अंतर्द्वियों के संक्रमण तथा संदूषण से बचा जा सके।

1.3 आंतों की सफाई पशु को काटने के तत्काल बाद की जानी चाहिए।

1.4 आंतों के संग्रहण, परिवहन तथा प्रसंस्करण के बीच होने वाले अंतराल को न्यूनतम किया जाना चाहिए ताकि अच्छी क्वालिटी के केसिम्स का निर्माण किया जा सके।

1.5 आंतों को किण्वन से, जहाँ तक संभव हो, बचाया जाना चाहिए।

#### उपाबंध-2

1. पशु-केसिंग्स प्रसंस्करण संयंत्र की अपेक्षाएँ:

1.1 प्रसंस्करण कक्ष:

पशु-केसिंग्स के प्रसंस्करण के लिए कक्षों में निर्मललिखित अवश्य शामिल होना चाहिए:

1.1.1 केसिंग्स प्रसंस्करण संयंत्रों के परिसर साफ-सुथरे दिखाई देने चाहिए और उनमें भुगन्ध नहीं आनी चाहिए।

1.1.2 कच्चे माल की उठाई-धराई तथा प्रसंस्करण से संबंधित कक्ष, तैयार सामग्री की उठाई-धराई तथा भंडारण कक्षों से अलग होने चाहिए।

1.1.3 केसिंग्स प्रसंस्करण कक्षों में आपरेशन सुविधा-जनक तथा सरलतापूर्वक करने के लिए पर्याप्त स्थान होना चाहिए।

1.1.4 फर्श अमेष तथा फिसलन-रहित होना चाहिए और इसे प्रतिदिन रोगाणुनाशक दवाओं से धोया जाना चाहिए। फर्श को पर्याप्त ढलान वाला होना चाहिए ताकि मिल लगे निकासी मार्ग से तरल पदार्थों को निकाला जा सके।

1.1.5 दीवारें 1.5 मीटर की ऊंचाई तक सफेद ग्लेज्ड सेरामिक टाइलों अथवा हल्के रंगों की परतों अथवा अच्छे पैनल वाली होनी चाहिए ताकि उन्हें गरम पानी और रोगाणुनाशकों से धोया जा सके।

1.1.6 छत हल्के रंग तथा पर्याप्त परतों वाली होनी चाहिए जो खराब न हों।

1.1.7 हवा का आवागमन भली प्रकार से हो।

1.1.8 पर्याप्त प्राकृतिक अथवा कृत्रिम रोशनी हो जिससे रंगों पर प्रभाव न पड़े।

1.1.9 परिसरों में सफाई होनी चाहिए तथा ड्रेनेज और प्लंबिंग व्यवस्था कुशल और सुव्यवस्थित होनी चाहिए। जल आपूर्ति पूर्ण तथा स्वच्छ होनी चाहिए।

1.1.10 उन कमरों में, जहाँ केसिंग्स का प्रसंस्करण किया जाए, मिट्टी आदि नहीं होनी चाहिए। केसिंग्स संबंधी कार्य करने वाले व्यक्तियों के हाथों की सफाई तथा बर्तनों की सफाई करने के लिए परिसरों में सभी सुविधाएँ जुटाई जानी चाहिए।

1.1.11 अपशिष्ट/स्क्रेप की वायुच्छेद डककन वाले डस्टबिन में रखा जाना चाहिए जिसे ग्रासानी से साफ और दूषणरहित किया जा सके।

1.1.12 इसमें कुत्तों, बिल्लियों, कृत्तकों, कीटों, मक्खियों, कौवों, चिमणावटों तथा गिड़ों का प्रवेश बजित

होना चाहिए। जहर अथवा जहरीले पारों की उन स्थानों पर मनाही होनी चाहिए जहाँ प्रसंस्करण किया जाए अथवा कोई पैक की गयी सामग्री स्टोर की जाए, और

1.1.13 प्रत्येक दिन की समाप्ति पर पूर्ण स्वच्छता कार्यक्रम को कार्यान्वित किया जाना चाहिए।

2. उपस्कर:

2.1 औजारों को साफ करने के लिए यूनिट में पर्याप्त जल की व्यवस्था की जानी चाहिए।

2.2 कीटों जैसे कीड़ों और कृत्तकों के विरुद्ध संरक्षण के लिए उचित उपस्कर होने चाहिए।

2.3 उपकरण तथा ठीक उपस्कर जैसे सोटिंग टेबल्स, केसिंग्स, कंटेनर्स, कंबेयर्स अथवा बैल्टस तथा चाकू इस प्रकार की सामग्री के होने चाहिए जिसकी ग्रासानी से सफाई की जा सके।

2.4 कंटेनरों को स्टोर करने के लिए उपकरणों को बहुत अच्छी स्वस्थ्यकर वशाओं में रखा जाना चाहिए और यह सुनिश्चित होना चाहिए कि कंटेनरों में तल अथवा दीवारों पर किसी तरह की कोई गंदगी नहीं होनी चाहिए।

2.5 केसिंग्स को उतारते और बढ़ाते समय केसिंग्स को स्वच्छतापूर्वक उठाने-धरने वाले उपकरणों का प्रयोग करना चाहिए।

2.6 बहते पानी की पर्याप्त पूर्ति के साथ वाश बेसिन की व्यवस्था होनी चाहिए और

2.7 केसिंग्स के प्रसंस्करण/विनिर्माण में प्रयुक्त किए जाने वाले उपकरणों और औजारों को, यदि वे संदूषित हों, प्रत्येक कार्य दिवस में उनका इस्तेमाल करने से पहले तथा कार्य समाप्त होने के पश्चात् कई बार सावधानी पूर्वक साफ किया जाना चाहिए। तथापि सतत उत्पादन मशीनों की सफाई तभी की जानी चाहिए जब काम समाप्त हो जाए अथवा जब संदूषण होने की संभावना हो।

3. स्टाफ:

3.1 स्टाफ से अधिक से अधिक स्वच्छता की अपेक्षा की जाती है। इस अस्वच्छ पद्धतियों को दूर किया जाना चाहिए।

3.2 जहाँ पशुओं की केसिंग्स का कार्य चल रहा हो उन कमरों में आने वाले सभी व्यक्तियों को साफ, हल्के रंग के और ग्रासानी से धुलने वाले कपड़े तथा टोपियों का इस्तेमाल करना चाहिए। पशुओं की केसिंग्स के प्रसंस्करण के कार्य में लगे कर्मचारियों को प्रतिदिन अनेक बार, अर्थात् जब भी वे कार्य-कार्य में लगे, अपने हाथ धोने चाहिए।

3.3 कार्य कक्षों तथा भंडार कक्षों में खाना, पीना तथा धूम्रपान करना निषेध होना चाहिए।

3.4 जो व्यक्ति बीमार हों अथवा जिनके हाथ कटे-फटे और खुले हों जिनसे केसिम्स के संदूषित होने की संभावना हो, उन्हें कार्य अथवा उठाने-धराने पर नहीं लगाया जाना चाहिए, और

3.5 पशुओं की केसिम्स के प्रसंस्करण में कार्यरत प्रत्येक व्यक्ति के लिए कार्यभार संभालते समय एक चिकित्सा स्वास्थ्य प्रमाणपत्र प्रस्तुत करना होगा। इस प्रमाणपत्र का प्रतिवर्ष नवीनीकरण कराना होगा। यह प्रमाणपत्र निरीक्षण अधिकारी को, जब भी मांगा जाए, प्रस्तुत करना होगा।

#### 4. सामान्य :

4.1 कमरों, उपकरणों तथा औजारों का इस्तेमाल केवल केसिम्स तैयार करने के लिए ही होना चाहिए और यदि किसी अन्य प्रयोजन के लिए आवश्यक हो तो इन्हें अच्छी तरह साफ करने के बाद और पशु केसिम्स को पुनः प्रसंस्कृत करने से पहले, 24 घंटे का अंतर होना चाहिए।

4.2 फर्श की सफाई के अलावा अन्य सभी प्रयोजनों के लिए पेयजल का इस्तेमाल किया जाना चाहिए।

4.3 घोंने के पाउडर, कीटनाशकों तथा नाशक जीव-मारों के प्रयोग से केसिम्स की स्वास्थ्यप्रदता प्रभावित नहीं होनी चाहिए।

4.4 सभी कामगारों के लाभ के लिए प्राथमिक सहायता का सामान उपलब्ध होना चाहिए।

4.5 लपेटने और पैकिंग करने का कार्य संतोषजनक सफाई वाली दशाओं में ही किया जाना चाहिए।

4.6 केसिम्स को उन स्थितियों में स्टोर किया जाना चाहिए जिनसे केसिम्स की क्वालिटी प्रभावित न हो :

4.6.1 भेड़ की केसिम्स के मामले में इन्हें पर्याप्त रूप से नमक लगाकर उचित हालत में रखा जाना चाहिए। यदि अधिक समय तक (10 दिन से अधिक) स्टोर करने की आवश्यकता पड़े तो इन्हें प्रणीतित स्थानों पर रखा जाना चाहिए।

4.6.2 पशुओं की केसिम्स के मामले में, सफाई और प्रसंस्करण के बाद केसिम्स को स्वास्थ्यप्रद परिस्थितियों में, धूप में या ताप प्रक्रिया से सुखाया जाना चाहिए। पशुओं की सूखी हुई केसिम्स को साफ सूखी तथा नमी रोधक स्थितियों में स्टोर किया जाना चाहिए। स्टोरेज के लिए काली मिर्च जैसे परिरक्षकों का प्रयोग किया जाना चाहिए, तथा

4.7 जिन पद्धतियों से केसिम्स का संदूषण होता हो उनसे बचा जाना चाहिए।

#### उपाबंध-3

पशु केसिम्स प्रसंस्करण संयंत्रों के रजिस्ट्रीकरण के लिए प्रक्रिया :

1.1 ऐसे नियतिकर्ताओं को जो यूरोपीय समुदाय तथा अन्य देशों को जहां नियति के लिए रजिस्ट्रीकरण और प्रमाणन की आवश्यकता होती है, पशुओं की केसिम्स का नियति करना चाहता है, निम्नलिखित प्रक्रिया के अनुसार एपीडा के साथ संयंत्र को रजिस्ट्रीकृत कराना चाहिए :

#### 2. रजिस्ट्रीकरण के लिए आवेदन :

2.1 आवेदन, अनुसूची-1 में यथा अधिकथित प्रोफार्म में, एपीडा के अध्यक्ष को दिया जाना चाहिए। अपनाई जाने वाली प्रक्रिया की एक प्रति एपीडा के कार्यालयों से प्राप्त की जा सकती है।

2.2 आवेदन के साथ, अनुसूची-2 में यथा अधिकथित पशु केसिम्स संयंत्र डाटा दिया जाना चाहिए।

2.3 सम्यक्तः पूर्ण आवेदन नई दिल्ली स्थित एपीडा के मुख्यालय अथवा अनुसूची-3 में दिए गए पतों में से किसी भी क्षेत्रीय कार्यालय में दिए जाएं जो इसे मुख्यालय को प्रेषित करेंगे।

2.4 आवेदन के साथ अनुसूची-4 में अधिकथित प्रोफार्म में यह घोषणा दी जानी चाहिए कि विनिर्माता/नियतिकर्ता ने पशु केसिम्स संयंत्र की स्वच्छता तथा अन्य आवश्यकताओं का पालन किया है।

2.5 आवेदन के साथ एपीडा के नाम 5001 रु० का मांगदेय डाफ्ट दिया जाना चाहिए जो दस्तावेज प्रसंस्करण तथा निरीक्षण प्रभारों के रूप में होगा।

2.6 आवेदन के साथ निम्नलिखित अतिरिक्त दस्तावेज संलग्न किए जाने चाहिए :

(क) परिसर का लेआउट।

(ख) परिसर में मशीनरी तथा उपकरण की सूची।

(ग) दस्तावेजों साक्ष्य के साथ स्वामियों/भागीदारों/निर्देशकों/न्यासियों आदि के नाम और पते

(घ) पशुओं की केसिम्स के लिए प्रसंस्करण एकक चलाने हेतु स्थानीय नगरपालिका से अनुमति।

(ङ) यदि प्रसंस्करण एकक सीज आधार पर चल रही हो तो सीज करार की एक प्रति।

(च) वित्तीय संस्थानों/बैंकों द्वारा जारी गोपनीय रिपोर्ट जिनमें विनिर्माताओं/नियतिकर्ताओं की वित्तीय स्थिति को बरखाया गया हो।

(छ) पशुओं की केसिम्स के प्रसंस्करण के लिए प्रयुक्त किए जाने हेतु पेयजल की प्राप्ति के संबंध में सरकारी प्रयोगशाला से प्रमाणपत्र।

(ज) प्रसंस्करण संबंधी कार्य में लगे कामियों के लिए चिकित्सा स्वास्थ्य प्रमाणपत्र।

## 3. संयंत्र रजिस्ट्रीकरण की प्रक्रिया :

3.1 आवेदन की प्रारंभिक संवीक्षा एपीडा द्वारा की जाएगी तथा आवेदन के ठीक पाए जाने की स्थिति में, एपीडा संबंध निरीक्षण समिति के प्रत्येक सदस्य को आवेदन की प्रति प्रेषित करेगा।

3.2 रजिस्ट्रीकरण के लिए प्रसंस्करण संयंत्र का मौलिक निरीक्षण संयंत्र निरीक्षण समिति द्वारा किया जाएगा। इस समिति का गठन एपीडा के अध्यक्ष द्वारा किया जाएगा, जिसमें निम्नलिखित होंगे:—

3.2.1 पशुपालन तथा दुग्ध उत्पादन विभाग, कृषि मंत्रालय, भारत सरकार का एक प्रतिनिधि।

3.2.2 राज्य सरकार के पशुपालन विभाग का एक प्रतिनिधि :

2.7 आवेदन इस प्रयोजन के लिए सम्यक्कृत, प्राधिकृत स्वामी/भागीदार/निवेशक/प्रबंधक न्यासी द्वारा हस्ताक्षरित होना चाहिए तथा आवेदन के साथ यथास्थिति, दस्तावेजों साक्ष्य/सूक्ष्मरनामा/संस्करण की प्रति, लगानी चाहिए।

3.2.3 निर्यात निरीक्षण परिवार/अधिकरण का एक प्रतिनिधि।

3.2.4 विपणन और निरीक्षण निदेशालय का एक प्रतिनिधि।

3.2.5 पशु केसिंस के निर्यातकर्तियों का एक प्रतिनिधि।

3.2.6 भेड़ की केसिंस के निर्यातकर्ता संघ का एक प्रतिनिधि।

3.2.7 एपी डा का एक प्रतिनिधि जो समिति का संयोजक होगा।

3.3. समिति के तीन सदस्यों के निरीक्षण के लिए गणपूर्ति होगी। यदि, किसी कारण से, गणपूर्ति नहीं होती है तो निरीक्षण बाद में किसी तारीख को होगा जिसकी सूचना प्रसंस्करणकर्ता और निर्यातकर्ता को दे दी जाएगी।

3.4 एपीडा सामान्य रूप से प्रसंस्करणकर्ता और या निर्यातकर्ता को जांच के लिए निरीक्षण की तारीख से एक सप्ताह पहले सूचित करेगा।

## 4. संयंत्र रजिस्ट्रीकरण प्रमाणपत्र जारी करना :

4.1 यदि समिति का समाधान हो जाता है कि पशु केसिंस संयंत्र मानकों के अनुरूप है और प्रमाणपत्र जारी करने के लिए सिफारिश करती है तब प्रमाणपत्र अनुसूची-5 में अधिबधित प्रोपार्स में एपीडा द्वारा जारी किया जाएगा इस प्रमाणपत्र पर एपीडा द्वारा आवेदित रजिस्ट्रीकरण संख्या होगा।

4.2 प्रमाणपत्र को प्रसंस्करण एकाई में आवश्यक रूप से प्रदर्शित किया जाएगा।

4.3 प्रसंस्करण एकाई के से आउट डिजाइन अथवा अक्षमता में किसी भी परिवर्तन को 60 दिन के भीतर एपीडा द्वारा अनुमोदित करना होगा।

4.4 संयंत्र रजिस्ट्रीकरण प्रमाणपत्र अनुसूचित उत्पाद के निर्यातकर्ता के रूप में एपीडा के साथ उसके रजिस्ट्रीकरण के अतिरिक्त होगा। एपीडा अधिनियम की धारा 12(1) के अनुसार। संयंत्र रजिस्ट्रीकरण प्रमाणपत्र को विधिमान्यता की तारीख प्रमाणपत्र पर विनिर्दिष्ट की जाएगी। यदि किसी विशेष तारीख का उल्लेख नहीं किया गया हो तो प्रमाणपत्र को, जिस वर्ष में वह जारी किया गया हो उस वर्ष के 31 दिसम्बर तक विधिमान्य माना जाएगा।

4.5 प्रमाणपत्र के नवीकरण के प्रयोजन हेतु पशु केसिंस संयंत्र का समिति द्वारा पुनः निरीक्षण किया जाएगा। यह पुनः निरीक्षण, प्रमाणपत्र की विधिमान्यता अवधि के समाप्ति होने से पूर्व किया जाएगा।

4.6 यदि पशु केसिंस का प्रसंस्करण पट्टा पर लिए गए संयंत्र में किया जाता है तो विनियमिता निर्यातकर्ता को प्रमाणपत्र जारी किया जाएगा जो संयंत्र का पट्टाधारी हो सकता है न कि उसका स्वामी यदि पट्टा करार प्रमाणपत्र के समाप्ति होने से पूर्व समाप्ति हो जाता है तब प्रमाणपत्र की विधिमान्यता यदि पट्टाकरार की अवधि नहीं बचाई जाए, तो पट्टा करार के समाप्ति होने की तारीख तक सीमित होगी।

4.7 विनियमिता/निर्यातकर्ता को एपीडा द्वारा समय-समय पर जारी किए गए अनुदेशों का भी पालन करना होगा।

## 5. प्रमाणपत्र को हटकाकर करना/रद्द करना।

5.1 खंड 4 के अधीन जारी किए गए प्रमाणपत्र से हटकाकर किया जा सकता है, या उसे रद्द अथवा निलंबित किया जा सकता है वस्तु यह तब जब कि पशु केसिंस संयंत्र इस नियमों के अधीन अधिबधित मानकों के अनुरूप नहीं है व किसी भी स्वामी/निवेशक/भागीदार न्यासी के विरुद्ध वित्तीय संस्थानों/बैंकों या आयातकर्तियों अथवा आयात करने वाले देशों की ओर से कोई प्रतिकूल रिपोर्ट हो। परिसरों में पेयजल की कमी हो। बहाए जाने वाले पदार्थों के लिए संतोषजनक प्रबन्ध नहीं हो। स्थानीय निकाय से विधिमान्य अनुज्ञप्ति अथवा यदि समिति यह महसूस करती है कि संयंत्र ऐसी जगह पर अवस्थित है जहां निवासियों के लिए हानिकार होगा।

5.2 यथा स्थिति, प्रमाणपत्र से हटकाकर किए जाने, उनको रद्द या निलंबन किए जाने की निर्यातकर्तियों को कारण बताते हुए लिखित में सूचना दी जाएगी।

5.3 व्यक्ति कोई निर्यातकर्ता यह समाधान करने पर कि समिति द्वारा बताई गई कमियों को ठीक कर दिया गया है, अपने संयंत्र के रजिस्ट्रीकरण हेतु एपीडा के अध्यक्ष को एक अन्य आवेदन दे सकता है। संयंत्र का पुनः निरीक्षण उपरोक्त पैरा 5 के रूप में किया जाएगा।

## उपाबंध-IV

## 1. पशु केसिंग्स के प्रमाणीकरण की क्रियाविधि :

पशुओं के स्वास्थ्य प्रमाण पत्र को जारी करने हेतु पशु की जाति पैकिंग का स्वरूप, पैकेजों की संख्या, शुद्ध वजन, केसिंग्स की सफाई आदि की जांच करने के लिए पशु केसिंग्स का निरीक्षण किया जाएगा।

## 2. निरीक्षण का स्थान :

इन नियमों के प्रयोजन के लिए पशु केसिंग्स का निरीक्षण एपीडा द्वारा रजिस्ट्रीकृत परिसरों में किया जाएगा।

## 3. प्रमाण पत्र के लिए आवेदन :

ऐसा कोई निर्यातकर्ता जो पशु केसिंग्स का निर्यात करना चाहता है, निर्यात किए जाने के लिए प्रस्तावित परेषण की विशिष्टता का व्यौरा देते हुए पशु स्वास्थ्य प्रमाण पत्र जारी करने के लिए एक आवेदन अनुसूची VI में यथा अधिकृत बहिर्गत प्रोफार्मा में अभिकरण के निकटतम कार्यालय को प्रस्तुत करेगा।

## 4. निरीक्षण के लिए समय-सीमा :

4.1 स्थानीय तथा बाहर के निरीक्षण के लिए पशु केसिंग्स के निरीक्षण हेतु क्रमशः दो और तीन कार्य दिवस की अग्रिम स्पष्ट सूचना अभिकरण को भेजी जानी आवश्यक है।

4.2 यद्यपि सूचना प्राप्त होने के बाद यथाशीघ्र निरीक्षण शुरू करने के लिए हर संभव प्रयास किए जाएंगे किन्तु इसके लिए कोई गारंटी नहीं दी जाएगी। केवल अनुरोधों पर आवेदनों के प्राप्त होने के बाद कालानुक्रम में ही विचार किया जा सकता है। तथापि, विशेष मामलों में, निरीक्षण अधिकारी अल्प सूचना पर भी निरीक्षण कर सकता है परन्तु यह तब जब कि वह किसी अन्य कार्य में व्यस्त न हो।

## अनुसूची I

पशु प्रसंस्करण संयंत्र के रजिस्ट्रीकरण हेतु आवेदन-प्रपत्र

1. आवेदक का नाम और पता
2. एपीडा का रजिस्ट्रीकरण सह सदस्यता संख्या
3. प्रसंस्करण संयंत्र का पता
4. कारखाना अनुज्ञप्ति संख्या और तारीख, यदि कोई हो
5. भवन (प्रसंस्करण संयंत्र) के स्वामी का नाम और पता यदि वह/वे आवेदक से भिन्न हों।
6. पट्टा करार समाप्ति की तारीख, यदि लागू हो
7. वित्तीय संस्थानों/बैंकों का नाम व पता, जिन्होंने संयंत्र को वित्तपोषित किया।

## 8. बैंक ड्राफ्ट/चेक का विवरण।

स्थान :

तारीख :

आवेदक या प्राधिकृत हस्ताक्षरकर्ता

सत्यापन

मैं, ..... यह घोषणा करता हूँ कि मेरी जानकारी और विश्वास में उपर्युक्त सूचना पूर्ण और सही है और मैं इस निमित्त निर्धारित की गई शर्तों और मानदण्डों का अनुपालन करने की सहमति देता हूँ।

तारीख :

आवेदक या प्राधिकृत हस्ताक्षरकर्ता

स्थान :

## अनुसूची-II

पशु केसिंग्स संयंत्रों से संबंधित आंकड़े

1. प्रसंस्करण संयंत्र का नाम
2. पता
3. बाह्य निरीक्षण
  - (1) परिवेश (स्वच्छ/अस्वच्छ)
  - (2) क्या यह मच्छली डिब्बा बन्दी, चर्मशोधक, रसायन संयंत्र रसायन संयंत्रों जैसे घुणाजनक उद्योगों के पास स्थित है जहां से हाईड्रोजन सल्फाइड आदि निकालता है।
  - (3) क्या इस संयंत्र का उपयोग पशु केसिंग्स के मलबा किसी और प्रसंस्करण सामग्री के लिए होता है।
  - (4) पहुंच और सविस मावों की स्थिति क्या चार-दीवारी उपलब्ध है।
  - (5) चिड़ियों, कौओं, चीलों आदि की उपस्थिति, यदि कोई हो
  - (6) निकास व्यवस्था की स्थिति, क्या खुले हैं या स्थायी रूप से जमीन के अन्तर स्थापित हैं।
  - (7) अपरिष्ट सामग्री के निपटान की व्यवस्था
  - (8) क्या कामगारों के लिए धुलाई एवं परिवर्तन कक्ष उपलब्ध है। यदि हां, तो स्त्री और पुरुष कामगारों के लिए शौचालयों की संख्या और पानी साबुन, तैलिंग आदि की व्यवस्था।
  - (9) क्या बाहरी दीवारों को उचित तरीके से प्लास्टर किया गया है और विदरिका सीन्टों सीलन आदि से मुक्त है
  - (10) क्या प्रवेश निर्बंधित है तथा प्रवेश और निकास के रास्ते में मक्खी-रोधी और अपने आप बंद होने वाली पद्धतियों के दोहरे, दरवाजों की व्यवस्था की गई है।



## (11) क्या छिड़कियाँ मक्खी रोधी हैं

(12) क्या प्रवेश द्वार पर पैर धोने के लिए कौटानु-रोधक/रोगाणुनाशी दवाओं का प्रयोग किया जाता है।

## 4. आंतरिक निरीक्षण

(1) क्या दीवारें और छतें उचित ढंग से पुती हुई हैं।

(2) क्या फर्श, दीवारें और छतें अभ्रय सामग्री से ठीक ढंग से प्लास्टर की गई हैं।

(3) क्या दरारें, छिद्र, विबरिका और सीलन विद्यमान हैं।

(4) क्या दीवारें कम से कम 2 मीटर की ऊँचाई तक धोने लायक परत या प्लेट से ढकी हुई हैं। क्या छिड़कियाँ पर्याप्त ऊँचाई पर हैं और काम करने वाले प्लेटफार्म में से दूर हैं ताकि धूल और दुर्घटनावश टूटे हुए काँच के शीशों से होने वाले संदूषण से बचा जा सके।

(5) क्या यह सुनिश्चित कराने के लिए कि कामगार कारखाना में प्रवेश करते समय और वहाँ से जाते समय अपने हाथ अच्छी तरह धोते हैं, पर्याप्त सावधानी बरती जाती है।

(6) क्या परिसरों में "शूकना और धूम्रपान करना मना है" की दशनि वाले पर्याप्त साइनबोर्ड मुख्य रूप से लगाए गए हैं।

(7) क्या काम करने वाले क्षेत्र में पर्याप्त रोशनी की व्यवस्था की गई है।

(8) क्या पर्याप्त निष्कासन पंखे उपलब्ध कराए गए हैं।

(9) क्या प्रसंस्करण क्षेत्र मकड़ियों और जालों से मुक्त है।

## 5. पानी की आपूर्ति

स्त्रोत निगम ग्रयवा खुला कुआँ/कुएँ ग्रयवा ट्यूबवेल

(1) क्या पेयजल की साफ के साथ पर्याप्त आपूर्ति उपलब्ध है।

(2) क्या उपस्कर के रोगाणुनाशन के लिए गर्म जल (82 सेल्सियस) उपलब्ध है।

(3) अधि-ऊर्ध्व उर्जा भण्डारण टैंक की स्थिति

(4) क्या जल का अलग के उपचार होता है, यदि हाँ तो उसके लिए प्रयुक्त प्रणाली।

क्या इस जल का नियमित रूप से परीक्षण होता है, यदि हाँ तो ऐसे परीक्षण कितने समय के अंतराल से होते हैं।

## 6. कामिक

(1) क्या आगोप्यता के लिए कर्मचारीवृन्द की नियत-कालिक जाँच होती है, यदि हाँ तो कितने समय के अन्तराल से होती है।

(2) क्या नाखूनों और बालों की ठीक से सफाई और कटाई होती है। नाखूनपोलिश का प्रयोग करना निषिद्ध है।

(3) क्या साफ मुथरी वर्दी, टोपी, दस्ताने, गमबूट उपलब्ध कराए जाते हैं।

(4) क्या व्यक्तिगत स्वास्थ्यरक्षण के अनुपालन की शिक्षा दी जाती है।

क्या यह बताया जाता है कि प्रसंस्करण क्षेत्र में धूम्रपान/चबाना/धूकना निषिद्ध है।

## 7. उपस्कर

(1) पशु केसिम्स के भंडारण के लिए कार्यशील उपस्कर आदि जैसे चाकूओं, काटों, डिब्बों तथा बांधागे में जों व अन्य कटाई औजारों की स्थिति।

(2) क्या उपस्करों की रोज सफाई की जाती है और उन्हें रोगाणुरहित किया जाता है।

(3) क्या अभक्ष्य/अर्वाशष्ट सामग्री के लिए प्रस्तुत उपस्कर, बर्तन/ट्रायियों को ठीक से चिन्हित किया जाता है ताकि उनका प्रयोग भक्ष्य पशु कैशिंग के लिए नहीं किया जा सके।

## 8. परिवहन

(1) यदि अंतर्द्वियों/पशु कैशिंग स्त्रोतों से इतर जगहों से लाए जाते हैं तो उन बूचड़खानों के नाम और पते जहाँ से प्राप्त किए जाते हैं।

(2) बूचड़खानों से परिवहन की दूरी और बूचड़खानों से अंतर्द्वियों/पशु कैशिंग को लाने से जान का माध्यम।

## अनुसूची 3

ए पी डा के मुख्यालय और क्षेत्रीय कार्यालयों के पते

(1) कृषि और प्रसंस्कृत खाद्य उत्पाद नियति विकास प्राधिकरण, अ-सल चैम्बर्स 2, तृतीय तल, 6, भीकाजी कामा प्लेस, नई दिल्ली-110066  
दूरभाष : 6192141/6192148/6192747  
टेलीक्स : 031-82061 पेडा इन पेक्स 6195016

(2) बम्बई कार्यालय

12 वाँ तल, यूनिट नं० 1,

एम बी आई आर डी सी,

कफी पेरेड, वर्ल्ड ट्रेड सेंटर

मू.बई-400005

दूरभाष 022-2183106/2189060

फैक्स 022-2189681

टैलेक्स 011-83737 ए पी डी इन

## 3. बंगलौर कार्यालय

12/1/1, पैलेस फ्राम रोड

बंगलौर 560020

टैलेक्स 080-334325

फैक्स 91-80-3364560

## 4. कलकत्ता कार्यालय

मुख्य भवन, विधान नगर

कलकत्ता 700091

टैलेक्स 033-374244

टैलेक्स 21-2222 डब्ल्यू बीजी टी इन ।

अनुसूची-4

नियमितकर्ता की घोषणा

1. मैं/हम ..... घोषणा करता हूँ/करते हैं कि मेरा/हमारे पशु केंसिंग प्रसंस्करण संयंत्र (क्वालिटी नियंत्रण और निरीक्षण) नियम, 159 के अधीन अधिकाधिक सफाई और स्वास्थ्य संबंधी अपेक्षाओं का अनुपालन करता है ।
2. मैं/हम यह भी घोषणा करता हूँ/करते हैं कि आंत-डियां मान्य वधशालाओं भूचङ्खानों से प्राप्त की जाती है ।
3. मैं/हम घोषित करता हूँ/करते हैं कि मेरे/हमारे पास अपने परिसर ..... (पता) में पशु केंसिंग को प्रसंस्कृत करने/भंडारण करने और एपीडा द्वारा समय-समय पर जारी अनुदेशों की पुष्टि के लिए अपेक्षित किसी भी तरह के संरचनात्मक और/या अन्य परिवर्तन करने का पूर्ण प्राधिकार और अधिकार है ।
4. मैं/हम यह भी घोषणा करता हूँ/करते हैं कि हम कम्पनी के स्वामित्व प्रबंधन और प्रसंस्करण संयंत्र के भवन में होने वाले किसी भी परिवर्तन के बारे में एपीडा को सूचित करेंगे ।

स्थान :

आवेदक के हस्ताक्षर

तारीख :

प्राधिकृत हस्ताक्षरकर्ता के हस्ताक्षर

अनुसूची-5

कृषि और प्रसंस्कृत खाद्य उत्पाद

नियमित विकास प्राधिकरण

(बाणिज्य मंत्रालय, भारत सरकार)

पशु केंसिंग प्रसंस्करण संयंत्र के संबंध रजिस्ट्रीकरण का प्रमाणपत्र

यह प्रमाणित किया जाता है कि नाम ..... पशु केंसिंग प्रसंस्करण संयंत्र का एपीडा द्वारा गठित संयंत्र रजिस्ट्रीकरण समिति द्वारा निरीक्षण किया गया है और विद्यमान सुविधाएं नियति के लिए अपेक्षित स्वास्थ्य और सफाई परिस्थितियों के लिए पर्याप्त मानी जाती है ।

1. नियमितकर्ता का नाम :
2. रजिस्ट्रीकरण संख्या :
3. प्रसंस्करण संयंत्र की आव-स्थिति :
4. नियति के लिए प्राधिकृत पशु केंसिंग का प्रकार तारीख जब तक के लिए प्रमाणपत्र मान्य है स्थान : नई दिल्ली एपीडा के लिए और तारीख : उमकी ओर से अध्यक्ष

अक्सल चैम्बर-II, तृतीय तल, 6 बीबाजी कामा प्लस नई दिल्ली-66 दूरभाष 6192141, 6192148 फैक्स 6195016

अनुसूची-6

पशु स्वास्थ्य प्रमाणपत्र जारी करने के लिए आवेदन पत्र प्रेषक

सेवा में,

प्राधिकरण

महोदय,

मैं आपसे पशु केंसिंग का निरीक्षण जिसका विवरण नीचे दिया गया है का निर्वति करने के लिए आवश्यक पशु स्वास्थ्य प्रमाण पत्र जारी करने का अनुरोध करता हूँ :-

## 1. केंसिंग की पहचान

(किसम)

पैकेजिंग की प्रकृति

पैकेजों की संख्या

मुद्रा भार

## 2. केंसिंग का उद्गम

अनुमोदित स्थापना

(संयंत्र रजिस्ट्रीकरण सं०):

## 3. केंसिंग का गंतव्य स्थल

स्थान जहां से केंसिंग भेजी जाएगी

(लड़ाई का स्थान)

जहां को भेजी जाएगी

(देश और गंतव्य स्थल)

जिन साधनों से भेजी जाएगी

परेषण कर्ता का नाम व पता

परेषिनी का नाम व पता

अवधीय

नाम

(पदनाम)

## IV. अनुप्रमाण

अधोदशाक्षरी पशु चिकित्सा अधिकारी यह प्रमाणित करता है उपर बताये गए केसिम्स :-

क मजबूत प्रमाणिकारी द्वारा स्वीकृत सदस्यों से आते हैं।

ख साफ किए गए खुरचे गए और सोडियम क्लोराइड के साथ (-) 30 दिन तक नमक लगाए गए हैं या निर्जिन (-) :

या

-खुरचने के बाद मुड़ाए गए (-) हैं :

ग उपचार के बाद दोबारा संदूषण से बचाने के लिए सभी प्रकार की सावधानियों से गुजर चुके हैं।

----- को ----- पर  
(तारीख) (स्थान)  
(मोहर) -----

अधिकारी के हस्ताक्षर (x)

(मोहर)

(x) वैकल्पिक

(--) जेने उपर्युक्त समझे वैसे हटा दें।

(x) हस्ताक्षर और मोहर का रंग छपाई के रंग से प्रलग होना चाहिए।

## अनुसूची 7

पशु स्वास्थ्य प्रमाण पत्र

यूरोपीय समुदाय को भेजे जाने वाले पशु केसिम्स के लिए  
रतव्य देश

स्वास्थ्य प्रमाण पत्र की संदर्भ संख्या :

निर्यातकर्ता देश :

उत्तरदायी मंत्रालय :

प्रमाणित करने वाला विभाग :

I. केसिम्स की पहचान : ----- के केसिम्स  
किस्म

वैकैजग की प्रकृति :

वैकैजों की संख्या :

पशु भार :

II. केसिम्स का उद्भव

अनुमोदित स्थापन का/

स्थापनाओं का पता/पते और

पशु चिकित्सा निरीक्षण संख्या

III. केसिम्स का रतव्य

स्थान जहाँ से केसिम्स

भेजी जाएंगी : -----

सदाई का स्थल)

जहाँ से भेजी जाएंगी : -----

(देश और रतव्य स्थल)

परिवहन के जिन साधनों से

भेजी जाएंगी।

तौल की संख्या (x)

परीक्षणकर्ता का नाम व पता

परेषिती का नाम व पता

[फाईल सं० 6/1/96-ईआई एंड ईपी]

प्रम दास, निदेशक

New Delhi, the 3rd November, 1997

S.O. 2948.—In exercise of the powers conferred by Section 17 of the Export (Quality Control and Inspection) Act, 1963, (22 of 1963) and in supersession of the notification of the Government of India, in the Ministry of Commerce Number S.O. 2284 dated the 24th August, 1994 relating to Animal Casings (Quality Control and Inspection) Rules, 1994, except as respects things done or omitted to be done before such supersession the Central Government hereby makes the following rules namely :—

1. Short title and commencement.—(1) These rules may be called the Export of Animal Casings (Quality Control and Inspection) Rules, 1997.

(2) They shall come into force on the date of their publication in the Official Gazette.

## PART I

APPLICABLE FOR EXPORT TO EUROPEAN UNION (EU) AND OTHER COUNTRIES WHICH STIPULATE THAT ANIMAL CASINGS SHALL COMPLY WITH THE FOLLOWING REQUIREMENTS

2. Definition.—In this part unless the context otherwise requires, the following definitions shall be applicable :

(a) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).

(b) "Agency" means any of the Export Inspection Agencies established or recognised by the Central Government under Section 7 of the Act or the Agricultural Marketing Adviser to the Government of India or any other officer authorised on his behalf for inspection ;

(c) "Animal" means a livestock belonging to any of the following species namely :

I. Cattle

II. Buffalo

III. Sheep

IV. Goat ; and

V. Pigs

(d) "Animal Casing" means processed intestines of a healthy animal slaughtered in an authorised slaughter house which may be referred as "Casings" also.

(e) "APEDA" means the Agricultural and Processed Food Products Export Development Authority established under Agricultural and Processed Food Products Export Development Authority Act, 1985.

(f) "Council" means the Export Inspection Council established under Section 3 of the Act.

(g) "Competent Authority" means Directorate of Marketing and Inspection (DMI), Department of Rural Development, Ministry of Rural Areas and Employment, Government of India recognised under Section 7 of the Act.

(h) "Intestines" means small and large intestines or gullet or oesophagus or weasand or urinary bladder of an animal.

(i) "Processed Intestines" means the cleaned, scrapped and salted with sodium chloride for 30 days or bleached or dried after scrapping of the intestines of an animal.

(j) "Slaughter" means killing of an animal for food employing a human method not inconsistent with the provisions of the prevention of cruelty to Animal Act, 1960 (54 of 1960) in an authorised slaughter house or abattoir where the animal is subjected to thorough ante-mortem and post-mortem examinations.

(k) "Slaughter House or Abattoir" means any premises which is authorised by the local authority for slaughter of animals intended for human consumption.

3. Basis of Compliance.—Inspection of Animal Casings intended for export shall be carried out with a view to see that the same has been processed, packed and stored in plants approved and registered with APEDA and that the product conforms to the standard specifications recognised by the Central Government under Section 6 of the Act, by sampling and testing of each consignment by the Competent Authority as per instructions issued by the council from time to time.

4. Animal Casings for export shall be subject to the following conditions :

4.1 The casings must comply with the requirements of Collection and transportation as per Annexure-I.

4.2 They must comply with the requirements of processing plant as per Annexure-II.

5. They must comply with the procedure for 'Registration of Animal Casings' Processing Plant and for Certification of Animal Casings as per Annexures III and IV respectively.

6. Issue of Animal Health Certificate.—On receipt of the application, the agency, on satisfying itself on the basis of inspection carried out as referred above that the consignment of Animal Casings has been processed and packed according to the specification applicable to it, shall issue Animal Health Certificate in the proforma laid down in the Schedule VII. It shall be lawful for the agency to supervise, oversee and secure compliance of these rules.

Where the agency is not satisfied, it shall refuse to issue the Animal Health Certificate. Such refusal alongwith the reasons thereof shall be communicated in writing to the exporter immediately after inspection of the consignment.

The Animal Health Certificate shall be valid for a maximum period of 90 days in the case of dried animal casings or 45 days in the case of salted animal casings or as prescribed by the importer, whichever is earlier.

If the consignment is not shipped within the period of validity of the certificate, the exporter shall be permitted to present the Certificate for revalidation. In such a case, the validity shall be extended for a further period of 45 days in the case of dried animal casings or 15 days in the case of salted animal casings or upto the last shipment date prescribed by the importer.

A duplicate certificate may be issued on payment of Rs. 500 and furnishing a declaration that the certificate was lost or mutilated and if the original certificate is found it will be returned. The validity of the duplicate certificate will be same as that of the original.

7. Inspection Fee.—The inspection fees would be Rs. 200 per ten banks subject to a maximum of Rs. 500 per consignment for local inspection and Rs. 1000 for out station inspection and shall be collected by the Competent Authority from the processor and/or exporter.

NOTE.—The amount of inspection fee for each consignment payable by the exporter shall be rounded off to the nearest rupee and, for this purpose where such amount contains a part of a rupee, then if such a part is fifty paise or more, it shall be rounded off to one rupee and if such part is less than fifty paise, it shall be ignored.

## PART-II

### APPLICABLE FOR EXPORT TO ALL COUNTRIES IN RESPECT OF GRADING AND MARKING OF ANIMAL CASINGS

2. DEFINITION.—In this part unless the context otherwise requires, the following definitions shall be applicable :

a. "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).

b. "Act" means any of the Export Inspection Agencies established or recognised by the Central Government under section 7 of the Act or the Agricultural Marketing Adviser to the Government of India by any other officer authorised on this behalf for inspection :

c. "Animal" means a livestock belonging to any of the following species namely :

I. Cattle

II. Buffalo

III. Sheep

IV. Goat, and

V. Pigs.

d. "Animal Casing" means processed intestines of a healthy animal slaughtered in an authorised slaughter house which may be referred as "Casings" also.

e. "Council" means the Export Inspection Council established under Section 3 of the Act.

f. "Intestines" means small and large intestines or gullet or oesophagus or weasand or urinary bladder of an animal.

g. "Processed Intestines" means the cleaned, scrapped and salted with sodium chloride for 30 days or bleached or dried after scrapping of the intestines of an animal.

h. "Slaughter" means killing of an animal for food employing a human method not inconsistent with the provisions of the prevention of cruelty to Animal Act, 1960 (54 of 1960) in an authorised slaughter house or abattoir where the animal is subjected to thorough ante-mortem and post-mortem examinations.

i. "Slaughter House or Abattoir" means any premises which is authorised by the local authority for slaughter of animals intended for human consumption.

3. BASIS OF INSPECTION.—Inspection of Animal Casings intended for export shall be carried out with a view to see that the same has been processed, packed and stored in plants approved by the Agency and that the product conforms to the standard specifications recognised by the Central Govt. under section 6 of the Act by sampling and testing of each consignment by the Agency as per instructions issued by the council from time to time.

4. PROCEDURE OF INSPECTION.—I. Any exporter intending to export Animal Casings shall submit an application for inspection (in duplicate) to the nearest Agency or an officer of the Agency authorised in this behalf by the Agency, giving particulars of the consignment, intended to be exported.

II. An application under sub-rule (1) shall be submitted :

a. Not less than two days before the inspection to be carried out at the premises situated at the same station to the office of the Agency; and

b. Not less than ten days before the inspection to be carried out at the premises which are not situated at the same station to the office of the Agency.

III. On receipt of the application referred to in sub-rule (2), the Agency shall inspect the consignment of Animal Casings as per the instructions issued by the Export Inspection Council in this behalf from time to time, with a view to satisfy itself that the consignment has been graded and packed in accordance with Rule 3. The exporter shall provide all necessary facilities to the Agency to enable it to carry out such inspection.

IV. If, after inspection, the Agency is satisfied that the consignment of animal casings to be exported complies with the requirements of the specifications referred to in rule 3, it shall, issue a certificate declaring the consignment as exportworthy.

V. When the Agency is not so satisfied it shall refuse to issue such certificate and communicate such refusal to the exporter in writing alongwith the reasons thereof.

VI. Subsequent to certification, the Agency shall have the right to reassess the quality of the consignment at any place, storage, in transit or at the ports before the actual shipment.

VII. In the event of the consignment being found not conforming to the standard specifications at any of these stages, the certificate of inspection originally issued shall be withdrawn.

5. Cacking and marking.—I. An exporter intending to pack animal casings for export shall pack in standard packages or as per specific requirements of the buyer.

II. The following information shall be stencilled/printed on the packages :

- a. Name and address of the exporter;
- b. Name of the item and variety;
- c. Grade;
- d. Lot number and date of packing;
- e. Gross weight and net weight;
- f. Product of India;
- g. Shipping Marks.

6. Place of inspection.—Inspection for the purpose of these rules be carried out at the premises of the exporter where the goods are offered for inspection provided that adequate facilities exist therein for inspection.

7. Inspection fees.—The inspection fee to be paid by the processor/exporter under consignment wise inspection to the agency will be at the rate of 0.4% of f.o.b. value of the consignment.

NOTE.—The amount of inspection fee for such consignment payable by the exporter shall be rounded off to the nearest rupee and, for this purpose where such amount contains a part of a rupee then if such a part is fifty paise or more, it shall be increased to one rupee and if such part is less than fifty paise, it shall be ignored.

8. APPEAL.—(1) Any exporter aggrieved by the refusal of the Agency to issue the Certificate of inspection either as prescribed in Part I or Part II of these rules may within ten days of such refusal prefer an appeal to the said Agency which shall refer the same to a panel of experts consisting of not less than three but not more than persons appointed for the purpose by Central Government.

(2) A minimum of two-thirds of the total membership of the panel of experts shall be non-officials.

(3) The quorum for the panel shall be three.

(4) The appeal shall be disposed off within fifteen days from the date of its receipt.

## ANNEXURE-I

### 1. COLLECTION AND TRANSPORTATION :

- 1.1. The intestines must be derived from healthy animals slaughtered in a slaughter house.
- 1.2. The transportation of intestines from the slaughter house to 'casings' processing plants has to take place under sufficient hygienic conditions which prevents infection and contamination of the intestines.
- 1.3. Cleaning of the intestines must be carried out immediately after slaughter of the animal.
- 1.4. The delay between collection, transportation and processing of intestines should be minimised to produce better quality animal casings.
- 1.5. Fermentation of intestines should be avoided as far as possible.

## ANNEXURE-II

### 1. REQUIREMENTS OF ANIMAL CASINGS' PROCESSING PLANT :

#### 1.1 PROCESSING ROOMS :

The rooms for processing of Animal casings must comprise of :

- 1.1.1 The premises of the casings processing plants should present an aesthetic appeal and should not emanate off odours.
- 1.1.2 The raw material handling and processing rooms should be separate from finished material handling and storage rooms.
- 1.1.3 The casings processing room should have adequate space for convenient and easy conduct of operations.
- 1.1.4 The flooring shall be impervious, non-slippery and washed daily with disinfectant. The floor should slope sufficiently for liquids to be drained off to trapped outlets protected by a grill.
- 1.1.5 The walls shall be tiled with white glazed ceramic tiles or light coloured coatings or hygienic panels upto a height of 1.5 meters to enable washing with hot water and chemical disinfectants.
- 1.1.6 Ceiling with light colour and adequate coating which does not rot.
- 1.1.7 Adequate ventilation.
- 1.1.8 Adequate natural or artificial lighting which does not distort colours.
- 1.1.9 The premises shall be maintained in sanitary condition and the drainage and plumbing system shall be efficient and well maintained. The water supply shall be ample and clean.
- 1.1.10 The rooms where the casings are processed will be free from dust etc. Facilities shall be provided in the premises for cleaning utensils and for cleaning hands of persons handling casings.
- 1.1.11 The waste/scraps should be kept in dustbin with an airtight lid which can be easily cleaned and disinfected.
- 1.1.12 It shall exclude the entry of dogs, cat rodents, insects, flies, crows, bats and vultures. The use of poisons or poisonous baits is, forbidden in places where processing is carried out or any packed product is stored; and
- 1.1.13 At the end of each day a thorough cleaning programme should be followed.

**2. EQUIPMENT :**

- 2.1 For cleaning of tools, adequate water facility in the unit should be provided.
- 2.2 Proper equipment for protection against pests such as insects and rodents.
- 2.3 Instruments and working equipment such as sorting tables, cases, containers, conveyors or belts and knives are of such a material which can be easily cleaned/washed.
- 2.4 The equipment for storing the containers must be in good hygienic condition and have to secure that there will not be any contact of the merchandise even in containers with the floor or the walls.
- 2.5 Equipment for hygienic handling of the casings during loading and unloading may be used.
- 2.6 Wash basin with adequate supply of running water should be provided, and
- 2.7 Equipment and instruments used in processing/manufacturing of casings, must be carefully cleaned and washed several times during each working day if they have been contaminated and at the end of the day's work and before being used again. However, continuous production machines should only be cleaned when the work has been finished or in cases where contamination is suspected.

**3. STAFF :**

- 3.1 The highest possible standard of cleanliness shall be required of staff. All unsanitary practices should be avoided.
- 3.2 All persons entering the rooms in which work on animal casings is undertaken, must wear clean, light coloured and easy to wash working clothes and headgears fully covering the hair on heads. Staff engaged in processing of animal casings shall wash their hands several times during each working day, i.e. each time they resume work.
- 3.3 Eating, drinking, smoking shall be forbidden in work rooms and store rooms.
- 3.4 Persons who are ill or whose hands are cut and exposed, likely to contaminate casings, shall be prohibited from working or handling, and
- 3.5 A medical fitness certificate shall be produced for every person working in processing of animal casings at the time of joining. It shall be renewed every year. It shall be produced to the inspecting officer as and when demanded.

**4. GENERAL :**

- 4.1 Rooms, instruments and working equipment must be used only for the preparation of the casings and if required to be used for any other purpose there shall be a gap of 24 hours after thorough cleaning and before animal casings are processed again.
- 4.2 For all purposes other than cleaning of floor, potable water must be used.
- 4.3 The use of detergents, disinfectants and pesticides must not affect the wholesomeness of the casings.
- 4.4 First aid kit should be available for the benefit of all the workers.
- 4.5 Washing and packing must take place under satisfactory hygienic conditions.
- 4.6 Casings should be stored under conditions which do not effect the quality of the casings.

4.6.1 In the case of sheep casings, these must be adequately salted and stored under proper conditions. Where longer period of storage (more than 10 days) is involved, these must be stored in refrigerated conditions.

4.6.2 In the case of cattle casings, after cleaning and processing the casings should be dried either in the sun or by heat process under hygienic conditions. Dried cattle casings should be stored under clean, dry and damp proof conditions. Preservatives like black pepper may be used for storage; and

4.7 Practices that results in contamination of casings should be avoided.

**ANNEXURE-III****1. Procedure for registration of Animal Casings' processing Plants :**

1.1 The exporters, desirous for export of animal casings to European Communities and other countries where Plant Registration and Certification is warranted, should get the plant registered with APEDA as per the procedures laid down hereunder.

**2. Application for Registration :**

2.1 Application may be made to Chairman, APEDA in the prescribed proforma as laid down in Schedule I. A copy of the procedure to be followed is obtainable from the office(s) of APEDA.

2.2 Application should be accompanied by Animal Castings Plant Data as laid down in Schedule II.

2.3 The application duly completed may be submitted either at the headquarters of APEDA at New Delhi or at any of its regional offices as per the addresses given in Schedule-III, who will forward the same to the headquarters.

2.4 The application should be accompanied by a declaration in the proforma laid down in schedule-IV that the manufacturer/exporter has complied with the sanitary and other requirements of animal casings' plants.

2.5 The application should be accompanied by a demand draft of Rs 500/- in favour of APEDA towards document processing and inspection charges.

2.6 The following additional documents should be submitted alongwith the application :

- (a) Lay out of the premises.
- (b) List of machinery and equipment in the premises.
- (c) Names and addresses of owners/partners/directors/trustees etc. alongwith documentary evidence.
- (d) Permission from the local municipal body to run the processing unit for animal casings.
- (e) Copy of the lease agreement in case the processing unit is being run on lease basis.
- (f) Confidential reports issued by financial institutions/banks mentioning the financial status of the manufacturer/exporter.
- (g) Certificate from a Govt laboratory regarding potability of water used for processing of animal casings.
- (h) Medical fitness certificate for personnel engaged in the processing operation.

2.7 The application should be signed by the owner/partner/director/managing trustee duly authorised for the purpose and a documentary evidence/power of attorney/copy of the resolution, as the case may be, must accompany the application.

**3. PLANT REGISTRATION PROCEDURE :**

3.1 Preliminary scrutiny of the application will be carried out by APEDA and in case the application is in order, APEDA will forward a copy of the application to each member of the Plant Inspection Committee.

3.2 Physical inspection of the processing plant will be carried out for registration by a Plant Inspection Committee to be constituted by Chairman, APEDA, comprising of the following :

3.2.1 One representative of Deptt. of Animal Husbandry and Dairying, Ministry of Agriculture, Govt. of India.

3.2.2 One representative of Deptt. of Animal Husbandry of the State Govt.

3.2.3 One representative of Export Inspection Council/Agency.

3.2.4 One representative of Directorate of Marketing and Inspection.

3.2.5 One representative of dried animal casings' exporters.

3.2.6 One representative of Sheep Casings Exporters' Association.

3.2.7 One representative of APEDA who shall be the convenor of the Committee.

3.3 Three members of the Committee shall form the quorum for inspection. In case, for any reason, the quorum is not complete, the inspection shall be carried out on a subsequent date which will be informed to the processor and/or exporter.

3.4 APEDA shall normally inform the processor and/or exporter one week in advance of the date of inspection for verification.

**4. ISSUE OF PLANT REGISTRATION CERTIFICATE :**

4.1 In case the Committee is satisfied that the animal casings plant conforms to the standards and recommends issue of a certificate, then the same shall be issued by APEDA in the proforma laid down under Schedule-V. The certificate will bear a Registration Number allotted by APEDA.

4.2 The certificate shall be prominently displayed in the processing unit.

4.3 Any change in the lay out, design or capacity of processing unit should be got approved by APEDA within 60 days of such a change.

4.4 The Plant Registration Certificate will be in addition to their registration with APEDA as an exporter of a scheduled product [as per Section 42(i) of the APEDA, Act]. The date of validity of the Plant Registration Certificate shall be specified on the certificate. In case no specific date is mentioned, the certificate shall be deemed to be valid upto 31st Decmbr of the year in which it is issued.

4.5 The animal casings plant shall be reinspected by the Committee for the purpose of renewal of the Certificate. The reinspection shall be carried out before expiry of validity of the certificate.

4.6 In case the processing of animal casings is carried out in a leased plant, the certificate shall be issued to the manufacturer/exporter who may be the lessee and not the owner of the plant. The validity of the certificate will be limited to the date of expiry of the lease agreement.

4.7 The manufacturer/exporter shall also comply with such other instructions as may, from time to time, be issued by APEDA.

**5. REFUSAL/CANCELLATION OF CERTIFICATE :**

5.1 The certificate issued under clause 4 may be refused or, cancelled or suspended provided that :

The animal casings plant does not conform to the prescribed standards as laid down under these rules;

There are any adverse reports from the financial institutions/banks against any of the owner/directors/partners/trustees or from the importers or importing countries ;

There is insufficient potable water at the premises;

Unsatisfactory arrangement for disposal of effluents ;

No valid licence from the local body or if the committee feels that the plant is situated at the place where it will be injurious to the inhabitants.

5.2 Refusal, cancellation or suspension of the certificate as the case may be, shall be communicated in writing specifying the reasons, to the exporter.

5.3 An agrieved exporter may make another application to Chairman, Agricultural and Processed Food Products Export Development Authority for registration of his plant after satisfying that the deficiencies pointed out by the Committee, have been rectified. The reinspection of the plant shall be carried out in terms of para 5 above.

**ANNEXURE-IV****1. PROCEDURE FOR CERTIFICATION OF ANIMAL CASINGS :**

The inspection of animal casings for issue of Animal Health Certificate shall be done to verify the species of animal, nature of packaging, number of packages, net weight, cleanliness of casings, etc.

**2. PLACE OF INSPECTION :**

The inspection of animal casings for the purpose of these rules shall be carried out at the premises registered with the APEDA.

**3. APPLICATION FOR CERTIFICATION :**

An Exporter intending to export animal casings shall submit an application for issue of the Animal Health Certificate, giving particulars of the consignment proposed to be exported to the nearest office of the agency in the prescribed proforma as laid down in the Schedule-VI.

**4. TIME LIMIT FOR INSPECTION :**

4.1 For inspection of animal casings for local and out-station inspection, a two and three clear working days advance information, respectively shall be sent to the agency office.

4.2 Although every effort will be made to take up inspection as soon as possible after the receipt of intimation, no guarantee be given except that request will be entertained strictly in the chronological order of receipt of applications. In special cases, however, the Inspecting Officer may attend to inspection even with shorter notice, provided he is not otherwise occupied with urgent work.

[F. No. 6/1/96-EI&EP]

PRABH DAS, Director

**SCHEDULE I****FORM OF APPLICATION FOR REGISTRATION OF ANIMAL CASINGS' PROCESSING PLANT**

1. Name and address of the applicant :

2. Registration-cum-membership No. of APEDA.
3. Address of the processing plant.
4. Factory licence number and date, if any.
5. Name and address of the owner of the building (processing plant) if he/they are different from the applicant.
6. Date of expiry of lease agreement, if applicable.
7. Name and address of the financial institutions/banks who have financed the plant.
8. Details of Bank draft/cheque.

**APPLICANT OR  
AUTHORISED SIGNATORY**

PLACE :  
DATE :

**VERIFICATION**

I.....do hereby declare that to the best of my knowledge and belief, the above information is complete and correct and that I agree to abide by the conditions and standards laid down in this behalf.

**APPLICANT OR  
AUTHORISED SIGNATORY**

DATE :  
PLACE :

**SCHEDULE-II**

**ANIMAL CASINGS PLANT DATA**

1. Name of the Processing Plant
2. Address
3. EXTERNAL INSPECTION

- I. Surroundings (clean/unclean).
- II. Whether situated near obnoxious industry like fish canning, tanneries, chemical plants, fertilizer plants releasing Hydrogen Sulphide etc.

III. Whether the plant is used for processing material other than animal casings.

IV. Condition of approach and service roads.

V. Whether boundary wall provided.

VI. Presence of birds, crows, vultures, etc. if any.

VII. Condition of drainage system, whether open or permanently installed underground.

VIII. Arrangement for disposal of waste material.

IX. Whether wash and change room for workers provided. If provided, number of toilets for each sex of workers and provision for water, soap, towels, etc.

X. Whether the external walls are properly plastered and free from crevices, holes, dampness, etc.

XI. Whether the entry is restricted and the entry (ies) and exit(s) provided with double doors having flyproofing and self closing devices.

XII. Whether the windows are flyproof.

XIII. Whether antiseptic/disinfectant foot wash is provided at the entrance.

4. INTERNAL INSPECTION

I. Whether the walls and ceilings are properly white washed.

II. Whether the floors, walls and ceilings are properly plastered with impervious material.



III. Whether Fissures, holes crevices and dampness present.

IV. Whether the walls are covered with washable coating or paint upto a height of atleast 2 meters. Whether the windows are at a sufficient height and away from working platforms/tables to avoid contamination by dust, accidentally broken glass panes.

V. Whether sufficient care is being exercised to ensure that each worker before entering and leaving the factory, washes his hands properly.

VI. Whether sufficient sign-boards indicating "do not spit and smoke" in the premises are displayed prominently.

VII. Whether adequate lighting arrangements provided in the working area.

VIII. Whether adequate exhaust fans provided.

IX. Whether the processing area is free from cow webs and spiders.

#### 5. WATER SUPPLY :

SOURCE : MUNICIPAL OR OPEN WELL(S) OR TUBE WELL(S)

I. Whether adequate potable water supply with pressure is provided.

II. Whether hot water (82 degree C) is available for sterilization of equipment.

III. Condition of over head storage tank.

IV. Is water treated separately, if so, system followed.

V. Whether water is tested regularly for it's potability if so the frequency of testing.

#### 6. PERSONNEL :

I. Whether the staff is periodically examined for medical fitness if so, what is the periodicity.

II. Whether the nails and hair are properly trimmed. Use of nail polish to be prohibited.

III. Whether clean uniform cap, hand gloves and gum-boots provided.

IV. Whether educated to observe personal hygiene.

V. Whether informed that smoking, chewing, spitting in the processing area is prohibited.

#### 7. EQUIPMENT :

I. Condition of working equipment, etc. e.g. knives, hooks, cases, containers for storage of animal casings, tables and other cutting tools.

II. Whether the equipment are cleaned and disinfected daily.

III. Whether the equipment, utensils, trollies used for inedible/waste material are properly marked so that they are not used for edible animal casings.

#### 8. TRANSPORTATION :

I. In case intestines/animal casings are sourced from outside sources, the names and addresses of the abattoirs from where these are sourced.

- II. Transportation distance from abattoirs and mode of transportation of intestines/ animal casings from abattoirs.

### SCHEDULE III

#### ADDRESSES OF APEDA HEADQUARTER AND REGIONAL OFFICES

1. Agricultural and Processed Food Products Export Development Authority,  
Ansal Chamber-II, 3rd Floor,  
6, Bhikaji Cama Place,  
New Delhi—110 066.  
Tel : 6192141/6192148/6192747  
Tlx : 031-82061 EFDA IN  
Fax : 6195016
2. Bombay Office  
12th Floor, Unit No. 1, MVIRDC  
Cuffe Parade, World Trade Centre,  
Bombay—400 005.  
Tel : 022-2183106/2189060  
Fax : 022-2189681  
Tlx : 011-83737 APED-IN
3. Bangalore Office  
12/1/1, Palace Cross Road,  
Bangalore—560 020.  
Tel : 080-3343425  
Fax : 91-80-3364560
4. Calcutta Office  
Mayukh Bhavan, Bidhan Nagar,  
Calcutta—700 091.  
Tel : 033-374244  
Tlx : 21-2222 WBGT IN

### SCHEDULE-IV

#### DECLARATION OF EXPORTER

- I. I/we,.....hereby declare that my/our animal casings, processing plant comply with all the sanitary and hygienic requirements laid down under Animal Casings (Quality Control & Inspection) Rules, 1996.
- II. I/We also declare that intestines are obtained from approved/slaughter houses/abattoirs.
- III. I/We declare that I/we possess the full authority and right to process/store animal casings, in the premises.....  
(Address and to effect any structural and/or other modifications required to conform to instructions issued by the APEDA from time to time.

- IV. I/We also declare that we will inform APEDA about any change in the ownership/management of the company and also the building of the processing plant.

SIGNATURE OF THE APPLICANT/  
AUTHORISED SIGNATORY

PLACE :

DATE :

### SCHEDULE-V

#### THE AGRICULTURAL AND PROCESSED FOOD PRODUCTS EXPORT DEVELOPMENT AUTHORITY

MINISTRY OF COMMERCE, GOVT. OF INDIA)  
CERTIFICATE OF PLANT REGISTRATION FOR  
ANIMAL CASINGS PROCESSING PLANT

This is to certify that the animal casings processing plant described below has been inspected by a Plant Registration Committee constituted by Agricultural and Processed Food Products Export Development Authority and existing facilities are considered adequate to meet the hygienic and sanitary conditions required for export :

1. Name of exporter .....
2. Registration No. ....
3. Location of the processing plant .....
4. Type of Animal Casings authorised for export. ....  
Certificate valid upto .....

Place : New Delhi For and on behalf of APEDA  
Date : CHAIRMAN

ANSAL CHAMBERS-II, 3rd FLOOR, 6 BHIKAJI  
CAMA PLACE, NEW DELHI—66 TEL : 6192141,  
6192148 FAX : 6195016

### SCHEDULE-VI

#### APPLICATION FOR ISSUE OF ANIMAL HEALTH CERTIFICATE

From

To

The Agency

Sir,

I request you to issue Animal Health Certificate for exporting the consignment of Animal Casings particulars of which are furnished below :

## I. Identification of casings :

Casings of .....  
(Species)Nature of packaging .....  
Number of packages .....  
Net weight .....

## II. Origin of casings

Approved establishment .....  
(Plant Registration) No. ....

## III. Destination of casings

The casings will be sent from .....  
(place of loading)  
to .....  
(country and  
place of  
destination)by the following means .....  
Name and address of .....  
consignor .....  
Name and address of .....  
consignee .....

Yours faithfully,

Name .....  
(Designation)

## SCHEDULE VII

ANIMAL HEALTH CERTIFICATE  
FOR ANIMAL CASINGS INTENDED FOR  
DISPATCH TO THE EUROPEAN COMMUNITYCountry of destination .....  
Reference number of the health .....  
certificate. ....Exporting country .....  
Responsible Ministry .....  
Certifying Department .....

## I. IDENTIFICATION OF CASINGS

Casings of .....  
(species)Nature of packaging .....  
Number of Packages .....  
Net Weight .....

## II. ORIGIN OF CASINGS

Address(es) and veteri- .....  
nary control number(s) of .....  
the approved establish- .....  
ment(s) .....

## III. DESTINATION OF CASINGS

The casings will be sent .....  
from .....  
(Place of loading)  
to .....  
(Country and place  
of destination)By the following means .....  
of transport. ....  
Number of the Seal (\*) .....  
Name and address of .....  
consignor. ....  
Name and address of .....  
consignee. ....

## IV. ATTESTATION

The undersigned official veterinarian certifies that  
the casings described above :

- (a) Come from plants approved by the competent authority.
- (b) Have been cleaned, scraped and  
— Salted (—) with Sodium Chloride for  
30 days;  
or  
— Bleached (—);  
or  
— Dried after scraping (—);
- (c) Have undergone all precautions to avoid  
recontamination after treatment.

Done at ..... on .....  
(Place) (Date)(Stamp) .....  
(Signature of the Official (X)

(Stamp)

(\*) Optional

(—) Delete as appropriate

(X) The signature and the stamp must be in a colour  
different to that of the printing.[F.No. 6/1/96—E1 & P]  
PRABH DAS Director

नई दिल्ली, 4 नवम्बर, 1997

का.प्रा. 2949 निर्यात (क्यालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार मैसर्स मित्रा एस.के. प्रा. लि., 23-22-14 बीच रोड, विशाखापत्तनम-530001 को खनिज तथा अयस्क (ग्रुप-1) और (ग्रुप 2 के निर्यात से पूर्व निरीक्षण के लिए वाणिज्य मंत्रालय की अधिसूचना सा.का.प्रा. 3975 तारीख 20-12-1965 और अधिसूचना सं. का.प्रा. 3978 तारीख 20-12-1965 में दी गयी अनुसूची के अनुसार 21-9-97 से प्रभावी और आगे तीन वर्ष की अवधि के लिए विशाखापत्तनम से निर्यात के लिए एक अभिकरण के रूप में निम्नलिखित शर्तों के अधीन मान्यता प्रदान करती है, अर्थातः—

- (i) मैसर्स मित्रा एस.के. प्रा. लि. विशाखापत्तनम निर्यात निरीक्षण परिषद द्वारा इस संबंध में नामित अधिकारी को अपने द्वारा अपनाई गई निरीक्षण पद्धति की जांच के लिए पर्याप्त सुविधाएं उपलब्ध कराएगी ताकि (निरीक्षण) नियम, 1965 के नियम 4 के अंतर्गत खनिज तथा अयस्क (ग्रुप I) तथा (ग्रुप II) के निरीक्षण के लिए प्रमाणपत्र दिया जा सके।
- (ii) मैसर्स मित्रा एस.के. प्रा.लि., विशाखापत्तनम इस अधिसूचना के अंतर्गत अपने कृत्यों के पालन में ऐसे निर्देशों द्वारा आबद्ध होगी जो समय-समय पर निदेशक (निरीक्षण एवं क्वालिटी नियंत्रण) लिखित रूप में देंगे।

[फाइल सं. 5/26/97-ई.आई. एण्ड ई पी]

प्रभ दास, निदेशक

## MINISTRY OF COMMERCE

New Delhi, the 4th November, 1997

S.O. 2949.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises for further period of three years with effect from 21-9-1997, M/s. Mitra S. K. Pvt. Ltd., 23.22.14 Bach Road, Visakhapatnam-530001, as an agency for the inspection of Minerals and Ores Group-I) and (Group-II) specified in Schedule annexed to Ministry of Commerce Notification No. S.O. 3975 dated 20-12-1965 and Notification No. S.O. 3978, dated 20-12-1965 respectively prior to export at Visakhapatnam subject to the following conditions, namely:—

- (i) that M/s. Mitra S. K. Pvt. Ltd., Visakhapatnam shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in granting the certificate of inspection under rule 4 of Export of Minerals & Ores (Group-I) and (Group-II) (Inspection) Rules, 1965;
- (ii) that M/s. Mitra S. K. Pvt. Ltd., Visakhapatnam in the performance of their function under this notification shall be bound by such directives as the Director (Inspection and Control) may give in writing from time to time.

[File No. 5/26/97-EI&EP]  
PRABH DAS, Director

मानव संसाधन विकास मंत्रालय  
(युवा कार्यक्रम और खेल विभाग)

नई दिल्ली, 4 अक्टूबर, 1997

का.आ. 2950.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिये प्रयोग) नियम 1976 के नियम 10(4) के अनुसरण में नेहरू युवा केन्द्र संगठन के 29 कार्यालयों (अनुबंध संलग्न) को जिनके कर्मचारीवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[मि.सं. ई-11011/5/97-हि.ए.]

प्रवीप कुमार सिन्हा, संयुक्त सचिव

## अनुबंध

क्र.सं.	कार्यालय का नाम	राज्य	क्षेत्र
1.	नेहरू युवा केन्द्र, सिहोर	मध्य प्रदेश	"क"
2.	नेहरू युवा केन्द्र, टीकमगढ़	मध्य प्रदेश	"क"
3.	नेहरू युवा केन्द्र, नरसिंहपुर	मध्य प्रदेश	"क"
4.	नेहरू युवा केन्द्र, चम्बा	हिमाचल प्रदेश	"क"
5.	नेहरू युवा केन्द्र, नाहन	हिमाचल प्रदेश	"क"
6.	नेहरू युवा केन्द्र, बांका	बिहार	"क"
7.	नेहरू युवा केन्द्र, औरंगाबाद	बिहार	"क"
8.	नेहरू युवा केन्द्र, जोधपुर	राजस्थान	"क"
9.	नेहरू युवा केन्द्र, बाड़मेर	राजस्थान	"क"
10.	नेहरू युवा केन्द्र, बारां	राजस्थान	"क"

11. नेहरू युवा केन्द्र, मऊ	उत्तर प्रदेश	"क"
12. नेहरू युवा केन्द्र, देहरादून	उत्तर प्रदेश	"क"
13. नेहरू युवा केन्द्र, बलिया	उत्तर प्रदेश	"क"
14. नेहरू युवा केन्द्र, हमीरपुर	उत्तर प्रदेश	"क"
15. नेहरू युवा केन्द्र, पानीपत	हरियाणा	"क"
16. नेहरू युवा केन्द्र, गुड़गांव	हरियाणा	"क"
17. नेहरू युवा केन्द्र, अम्बाला	हरियाणा	"क"
18. नेहरू युवा केन्द्र, रेवाड़ी	हरियाणा	"क"
19. नेहरू युवा केन्द्र, जालना	महाराष्ट्र	"ख"
20. नेहरू युवा केन्द्र, नासिक	महाराष्ट्र	"ख"
21. नेहरू युवा केन्द्र, डोडा	जम्मू व कश्मीर	"ख"
22. नेहरू युवा केन्द्र, राजौरी	जम्मू व कश्मीर	"ख"
23. नेहरू युवा केन्द्र, अलप्पी	केरल	"ग"
24. नेहरू युवा केन्द्र, बंगलौर	कर्नाटक	"ग"
25. नेहरू युवा केन्द्र, तुमकुर	कर्नाटक	"ग"
26. नेहरू युवा केन्द्र, संगठन, क्षेत्रीय कार्यालय, चित्रदुर्गा	कर्नाटक	"ग"
27. नेहरू युवा केन्द्र, गुलबर्गा	कर्नाटक	"ग"
28. नेहरू युवा केन्द्र, फतेहपुर	उत्तर प्रदेश	"क"
29. नेहरू युवा केन्द्र, संगठन, क्षेत्रीय कार्यालय, देहरादून	उत्तर प्रदेश	"क"

### MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Youth Affairs and Sports)

New Delhi, the 4th October, 1997

S.O. 2950.—In pursuance of rule 10(4) of the Official Languages (Use for Official Purposes of the Union) Rule 1976, the Central Government hereby notifies the following 29 offices (Annexure attached) of Nehru Yuva Kendra Sangathan the staff whereof have acquired working knowledge of Hindi.

[F.No. E-11011/5/97-H.U.]

PRADEEP KUMAR SINHA, Jt. Secy.

### ANNEXURE

S. No.	Name of the Office	State/UT	Region
1	2	3	4
1.	NYK, Sehore	Madhya Pradesh	"A"
2.	NYK, Tikamgarh	Madhya Pradesh	"A"
3.	NYK, Narsinghpur	Madhya Pradesh	"A"
4.	NYK, Chamba	Himachal Pradesh	"A"
5.	NYK, Nahan	Himachal Pradesh	"A"
6.	NYK, Banka	Bihar	"A"
7.	NYK, Aurangabad	Bihar	"A"
8.	NYK, Jodhpur	Rajasthan	"A"
9.	NYK, Barmer	Rajasthan	"A"
10.	NYK, Baran	Rajasthan	"A"
11.	NYK, Mau	Uttar Pradesh	"A"
12.	NYK, Dehradun	Uttar Pradesh	"A"
13.	NYK, Balia	Uttar Pradesh	"A"
14.	NYK, Hamirpur	Uttar Pradesh	"A"
15.	NYK, Panipat	Haryana	"A"

1	2	3	4
16.	NYK, Gurgaon	Haryana	"A"
17.	NYK, Ambala	Haryana	"A"
18.	NYK, Rewari	Haryana	"A"
19.	NYK, Jalna	Maharashtra	"B"
20.	NYK, Nasik	Maharashtra	"A"
21.	NYK, Doda	Jammu & Kashmir	"B"
22.	NYK, Rajouri	Jammu & Kashmir	"B"
23.	NYK, Alleppy	Kerala	"C"
24.	NYK, Bangalore	Karnataka	"C"
25.	NYK, Tumkur	Karnataka	"C"
26.	NYKS, Regional office, Chitradurga	Karnataka	"C"
27.	NYK, Gulbarga	Karnataka	"C"
28.	NYK, Fatehpur	Uttar Pradesh	"A"
29.	NYKS, Regional office, Dehradun	Uttar Pradesh	"A"

## (शिक्षा विभाग)

नई दिल्ली, 5 नवम्बर, 1997

कां.प्र. 2951.—केन्द्रीय सरकार राजभाषा (संघ के सरकारी प्रयोजनों के लिए प्रयोग) के नियम 1976 के नियम 10 के उप-नियम (4) के अनुसरण में मानव संसाधन विकास मंत्रालय (शिक्षा विभाग) के अन्तर्गत निम्नलिखित केन्द्रीय विद्यालयों को जिनमें 80% से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. केन्द्रीय विद्यालय नं० 3  
बाबू सेना अटिण्डा  
(पंजाब)
2. केन्द्रीय विद्यालय,  
पश्चिम बिहार,  
दिल्ली।
3. केन्द्रीय विद्यालय नं० 3  
9 अस्थान मरम्मत डिपो,  
वायु सेना केन्द्र,  
पणे-411014
4. केन्द्रीय विद्यालय,  
आई. एरिया,  
डी०ए०डी० कॉम्प्लेक्स,  
वानवडी रेंज,  
पुणे।
5. केन्द्रीय विद्यालय नं० 2  
धार रोड,  
उद्यमपुर।
6. केन्द्रीय विद्यालय नं० 1  
उद्यमपुर।
7. केन्द्रीय विद्यालय,  
आयुध निर्माणी बालागौर,  
डी० ओ० बडमाल,  
जिला-बालागौर-767770  
(उड़ीसा)

8. केन्द्रीय विद्यालय,  
आई० ओ० सी०  
गुवाहाटी रिपार्शरी,  
नूनमाटी, गुवाहाटी-781020

9. केन्द्रीय विद्यालय,  
मात्तीगांव,  
गुवाहाटी।

10. केन्द्रीय विद्यालय,  
बरहमपुर (गंजाम)  
उड़ीसा।

11. केन्द्रीय विद्यालय,  
आई० आई० टी०  
खड़गपुर-731302

12. केन्द्रीय विद्यालय नं० 3  
बोकारो रेलवे कालोनी,  
बोकारो इस्पात नगर,  
बोकारो।

13. केन्द्रीय विद्यालय नं० 1  
उप्पल हैदराबाद-39

[सं० 11011/5/97-रा० भा० ए०]  
निम्रेन्द ओझा, निदेशक (राजभाषा)

(Deptt. of Education)

New Delhi, the 5th November, 1997

S O. 2951.—In pursuance of sub rule (4) of Rule 10 of the Official Languages (Use for purposes of the Union) Rules, 1976 the Central Govt. hereby notifies of the following Kendriya Vidyalayas under the Ministry of Human Resources Development (Deptt. of Education) more than 80% staff of which has working knowledge of Hindi :—

1. Kendriya Vidyalaya No. 3  
Air Force Station Bhatinda  
Punjab.
2. Kendriya Vidyalaya,  
Paschim Vihar,  
Delhi.
3. Kendriya Vidyalaya No. 3  
9 V. R. D  
Air Force Station  
Pune.
4. Kendriya Vidyalaya,  
Army Area,  
D. A. D. Complex,  
Vanvari Range,  
Pune.
5. Kendriya Vidyalaya No. 2  
Dhar Road,  
Udhampur.
6. Kendriya Vidyalaya No. 1  
Udhampur.
7. Kendriya Vidyalaya,  
O. R. D. Fy. Balangir,  
Ordinance Factory, Balangir,  
P.O. Badmal  
Dist. Balangir-767770  
(Orissa)

8. Kendriya Vidyalaya,  
I. O. C.  
Guwahati, Refinery,  
Noonmati, Guwahati-781020
9. Kendriya Vidyalaya,  
Maligaon, Guwahati.
10. Kendriya Vidyalaya No. 3  
Bokaro Rly. Colony,  
Bokaro Steel City,  
(Bokaro)
11. Kendriya Vidyalaya,  
Barhampur (Ganjam)  
Orissa
12. Kendriya Vidyalaya  
I I. T  
Kharagpur-721302
13. Kendriya Vidyalaya,  
Uppa, Hyderabad-39

[No. 11011-5/97-O.L.U

NISHENDU OJHA, Director (O.L)

स्वास्थ्य और परिवार कल्याण मंत्रालय  
(स्वास्थ्य विभाग)

नई दिल्ली, 31 अक्टूबर, 1997

का०आ०-52-भारतीय दन्त परिषद् से परामर्श करने के पश्चात्, केन्द्रीय सरकार, दन्त चिकित्सा अधिनियम, 1948 (1948 का 16) की धारा 10 की उपधारा (2) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम की अनुसूची के भाग 1 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अनुसूची के भाग 1 में क्रम सं० 43 और उससे संबंधित प्रविष्टियों के पश्चात्, निम्नलिखित क्रम सं० और प्रविष्टियां जोड़ी जाएंगी, अर्थात् :—

1	2	3
"44. पाण्डिचेरी विश्व- विद्यालय पाण्डिचेरी।	बैचलर ऑफ डेंटल सर्जरी	बी० डी० एस० पाण्डिचेरी, पाण्डिचेरी विश्वविद्यालय की बाबत यह अर्हता मान्यता प्राप्त दन्त अर्हता तब होगी तब 1 सितम्बर, 1994 या इसके पश्चात् दी गई है )"।

[सं० बी० 12025/17/95-पी एम एस]

सी० एल० भाटिया, अवर सचिव

## MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, the 31st October, 1997

S.O. 2952.—In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consulting the Dental Council of India, hereby makes the following further amendment in Part I of the Schedule to the said Act, namely :—

In Part I of the said Schedule, after serial number 43 and the entries relating thereto, the following serial number and entries shall be added namely :—

1	2	3
"44, "44, Pondicherry University, Pondicherry.	Bachelor of Dental Surgery.	B. D. S. Pondicherry This qualification shall be a recognised dental qualification in respect of Pondicherry University when granted on or after 1st September, 1994".

[No. V. 12025/17/95-PMS]

C.L. BHATIA, Under Secy.

खाद्य और उपभोक्ता मामले मंत्रालय

(उपभोक्ता मामले विभाग)

नई दिल्ली, 4 नवम्बर, 1997

का.आ. 2953.—केन्द्रीय सरकार का निहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट (नीचे आकृति देखिए) पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि वह लगातार प्रयोग की अवधि में यथार्थता बनाये रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा ;

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, मध्यम यथार्थता वर्ग III की एम टी आर 1001 सिरीज टाईप के मैट्रो ब्रांड नाम वाले स्वतः सूचक गैर-सूचक गैर-स्वचालित इलेक्ट्रॉनिक प्लेटफार्म तोलन उपकरण के माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मैसर्स मैट्रो डिग्री, स्केल 6, साधना चेम्बर बरच्छा रोड, सूरत-395006 द्वारा किया गया है और जिसे अनुमोदन चिन्हन आई. एन. डी./09/6/72 समनुविष्ट किया गया है अनुमोदन प्रमाणपत्र प्रकाशित करती है।

माडल (आकृति देखिए) एक मध्यम यथार्थता (यथार्थता वर्ग III) का तोलन उपकरण है जिसकी अधिकतम क्षमता 50 किलोग्राम और न्यूनतम क्षमता 200 ग्राम है। सत्यापन मापमान अन्तर (ई) 10 ग्राम है। इसमें एक टेयर युक्ति है। जिसका व्यकलनात्मक प्रतिधारण टेयर प्रभाव 100 प्रतिशत है। भारघाही आयाता कार सैंशन का है जिसका आकार



800×400 मिलीमीटर है। प्रकाश उत्सर्जन डायोड संप्रदर्श तोलन परिणाम उपदर्शित करता है। यह उपकरण 230 वोल्ट 50 हर्ट्ज के प्रत्यावर्ती धारा विद्युत् प्रदाय पर संचालित होता है।



(आकृति)

आगे, केन्द्रीय सरकार उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाण पत्र के अन्तर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल का विनिर्माण, किया गया है, विनिर्मित 30 किलोग्राम/5 ग्राम, 120 किलोग्राम/20 ग्राम, 150 किलोग्राम/20 ग्राम, 200 किलोग्राम/50 ग्राम, 300 किलोग्राम/50 ग्राम, 500 किलोग्राम/100 ग्राम और 1000 किलोग्राम/200 ग्राम की अधिकतम क्षमता वाले समरूप मेक, यथार्थता और उसी सिरिज के कार्यकरण वाले तोलन उपकरण भी हैं।

[फा.सं. डब्ल्यू.एम. 21(66)/95]

राजीव श्रीवास्तव, अपर सचिव

## MINISTRY OF FOOD AND CONSUMER AFFAIRS

(Department of Consumer Affairs)

New Delhi, the 4th November, 1997

S.O. 2953.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of 2883 GI/97—6

approval of the Model of the self-indicating non-automatic electronic platform weighing instrument of type MTR-1001 series of class III (medium) accuracy with brand name "METRO" (hereinafter referred to as the Model) manufactured by M/s. Metro Digi Scale, 6, Sadhana Chamber, Varacha Road, Surat-395006, and which is assigned the approval mark IND|09|96|72;

The Model (see figure) is a medium accuracy (accuracy class III) weighing instrument with a maximum capacity of 50kg and minimum capacity of 200g. The verification scale interval (e) is 10 gm. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of rectangular section of size 300×400 millimetre. The Light Emitting Diodes display indicates the weighing result.

The instrument operates on 230 volts, 50 Hertz alternate current power supply;

Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make; accuracy and performance of some series with maximum capacity of 30kg[5g.

120kg|20g, 150kg|20g, 200kg|50g, 300kg|50g, 500kg|100g and 100kg|200g manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. MW 21(66)|95]

RAJIV SRIVASTAVA, Addl. Secy.



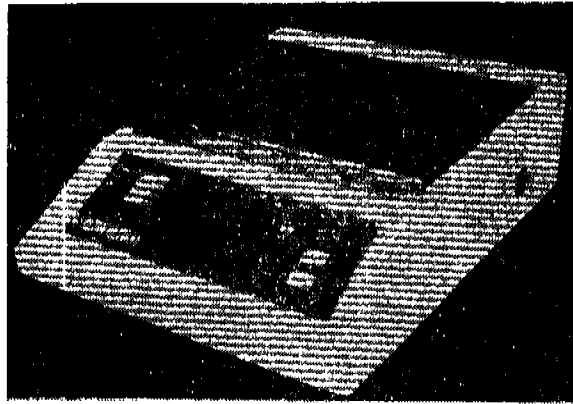
नई दिल्ली, 4 नवम्बर, 1997

का.आ. 2954—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट (नीचे आकृति देखिए) पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबन्धों के अनुरूप है और इस बात की संभावना है कि वह लगातार प्रयोग की अवधि में यथार्थता बनाये रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा।

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मध्यम यथार्थता वर्ग III की एम टी आर 1001 मिरिज टाईप के मेट्रो ब्रांड नाम वाले स्वतः सूचक गैर-स्वचालित इलेक्ट्रॉनिक प्लेटफार्म तोलन उपकरण के माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मैमर्स मेट्रो डिग्री, स्केल 6, साधना चेम्बर, वरन्छा रोड, मूरत-395006 द्वारा किया गया है और जिसे अनुमोदन चिह्न आई.एन.डी./09/96/73 समनुविष्ट किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

माडल (आकृति देखिए) एक उच्च यथार्थता (यथार्थता वर्ग II) का तोलन उपकरण है जिसकी अधिकतम क्षमता 5.5 किलोग्राम और न्यूनतम क्षमता 25 ग्राम है। स्थापन मापमान अन्तर (ई) 500 मिलीग्राम है। इसमें एक डेयर युक्ति है जिसका व्यकलनात्मक प्रतिधारण डेयर प्रभाव 100 प्रतिशत है। भारग्राही वर्गिकार संकेतन का है। जिसका आकार

250 × 250 मिलीमीटर है। प्रकाश उत्सर्जन डायोड संप्रदर्श तोल परिणाम उपदर्शित करता है। यह उपकरण 230 वोल्ट 50 हर्ट्ज के प्रत्यावर्ती द्वारा विद्युत् पर प्रचालित होता है।



(आकृति)

आगे, केन्द्रीय सरकार उक्त धारा की उपधारा (12) द्वारा श्रद्धा शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाण पत्र के अन्तर्गत उसी विनिर्माता द्वारा उमी सिद्धान्त डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल का विनिर्माण किया गया है विनिर्मित 300 ग्राम/10 मिलीग्राम, 320 ग्राम/20 मिलीग्राम, 550 ग्राम/50 मिलीग्राम, 750 ग्राम/50 मिलीग्राम, 2200 ग्राम/200 मिलीग्राम और 11000 ग्राम/1 ग्राम की अधिकतम क्षमता वाले समरूप सेक, यथार्थता और उमी सिरीज के कार्यकरण वाले तोलन उपकरण भी है।

[फा.सं. डब्ल्यू.एम. 21(66)/95]

राजीव श्रीवास्तव, अपर सचिव

New Delhi, the 4th November, 1997

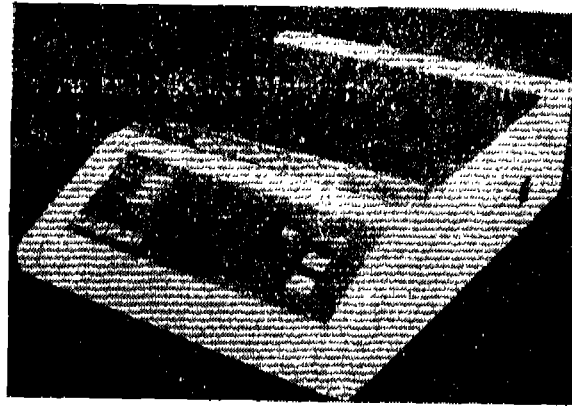
S.O. 2954.--Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model, is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating non-automatic electronic table top weighing instrument of type MTR-101 series of class II (high) accuracy with brand name "METRO" (hereinafter referred to as the Model) manufactured by M/s. Metro Digi Scale, 6, Sadhana Chamber, Varachha Road, Surat-395006, and which is assigned the approval mark IND|09|96|73;

The Model (see figure) is a high accuracy (accuracy class II) weighing instrument with a maximum

capacity of 5.5 kg and minimum capacity of 25g. The verification scale interval (e) is 500 mg. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of square section of

size 250 × 250 millimetre. The Light Emitting Diodes display indicates the weighing result. The instrument operates on 230 volts, 50 Hertz alternate current power supply;



Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 300g|10mg, 320g|20mg, 550g|50mg, 750g|50mg, 2200g|200mg and

11000 g|1 g manufactured by the same manufacture in accordance with the same principle, design and with same materials with which, the approved has been manufactured.

[F. No. WM 21(66)|95]

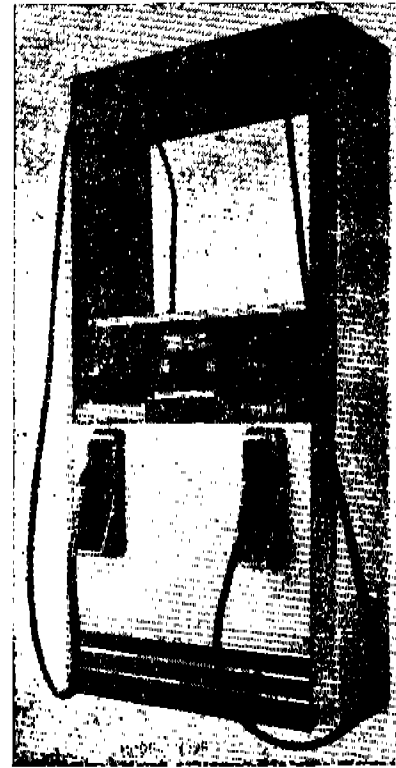
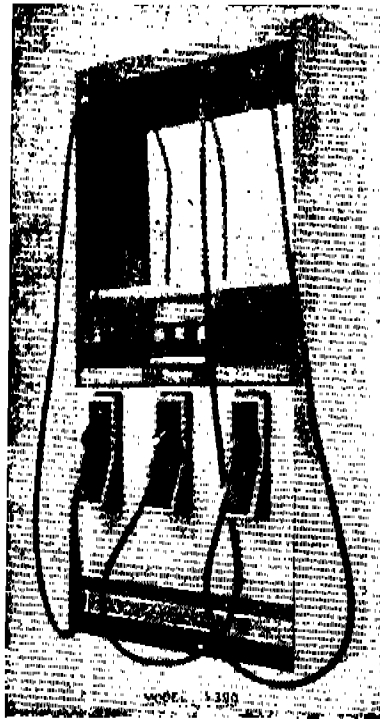
RAJIV SRIVASTAVA, Addl. Secy.

नागरिक पूर्ति, उपभोक्ता मामले और सार्वजनिक वितरण मंत्रालय

नई दिल्ली, 10 नवम्बर, 1997

क्रा० आ० 2955—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात् समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि वह लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए “वेने मल्टी ग्रेड डिस्पेंसिंग पम्प” सिरीज के अंकीय संप्रदर्श वाले और “वेने विस्टा 390 तथा 399 मल्टी ग्रेड पम्प” ट्रेड नाम वाले पेट्रोलियम उत्पादों का परिदान करने के लिए बहुउद्देशीय डिस्पेंसिंग पम्पों के माडल (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसका विनिर्माण मैसर्स वेने डिविजम, ड्रेसर इन्डस्ट्रीज इन्क, 124, वेस्ट कालेज ऐक्व्यू पो० ओ० बाक्स 1859, सलिस्बुरी, एमडी, 21801-1859 यू एस ए और मैसर्स टेल्टेक इन्स्ट्रुमेंटेशन प्राइवेट लि० 28/4, खरादी ओफफ नगर रोड, पुणे-411014 द्वारा भारत में विवर्णित किया गया है और जिसे अनुमोदन चिह्न नं० आई०एन० डी०/13/97/01 समनुदिष्ट किया गया है, अनुमोदन प्रमाण-पत्र प्रकाशित करती है ।



मॉडल (आकृति देखिए) 'वेने विस्टा 390 और 399 मल्टीग्रेड, पम्प सिरीज के अंकीय संदर्श वाला पेट्रोलियम उत्पाद परिदान करने के लिए एक बहुउद्देशीय डिस्पेंसिंग पम्प है।

मशीन के तकनीकी ध्यारे निम्नलिखित है :—

मशीन की तकनीकी विनिर्दिष्टताएं निम्नलिखित है :—

विनिर्माता	: 1. मैसर्स वेने डिविजन ड्रेसर इन्डस्ट्रीज, इंक, 124, वेस्ट कालेज एवन्यू, पो०ओ० बाक्स, 1859 सलिस्बुरी, एम डी 21801-1859 यू एस ए
उपकरण का नाम	: पेट्रोलियम उत्पादों परिदान करने के लिए बहुउद्देशीय डिस्पेंसिंग पम्पस
टाईप	: वेने विस्टा 390 और 399 मल्टी ग्रेड पम्पस
अधिकतम प्रवाह दर	: 50 लीटर प्रति मिनट नामीय
संप्रवर्शन मात्रा	: 0.01 लीटर की वृद्धि पर 999.99 लिटर
अंशांकन समायोजन	: 5 लीटर के परिदान में 5 मिलीलीटर के चरणों में
अंशकाकी रेंज प्रदत्त	: 5 लीटर के परिदान पर + 100 मिलीलीटर
संप्रदर्शन यूनिट	: "भुगतान की रकम" के लिए 6 अंकीय प्रकाश उत्सर्जन सूचक संप्रदर्श यूनिट मूल्य (प्रत्येक होज के ऊपर) के लिए चार अंकीय प्रकाश उत्सर्जन सूचक।
"यूनिट" आदान रेंज	: 99.99 रु० तक।
"भुगतान की रकम" आदान रेंज	: 9999.9 रु० तक।
विद्युत प्रदाय	: 230 वोल्ट, 50 हर्टज ए० सी०
ताप रेंज	: + 5 डिग्री सेंटीग्रेड से 40 डिग्री सेंटीग्रेड
परिदान होज	: 5 मीटर से अन्यून स्वतः प्राप्ति सुविधा युक्त।

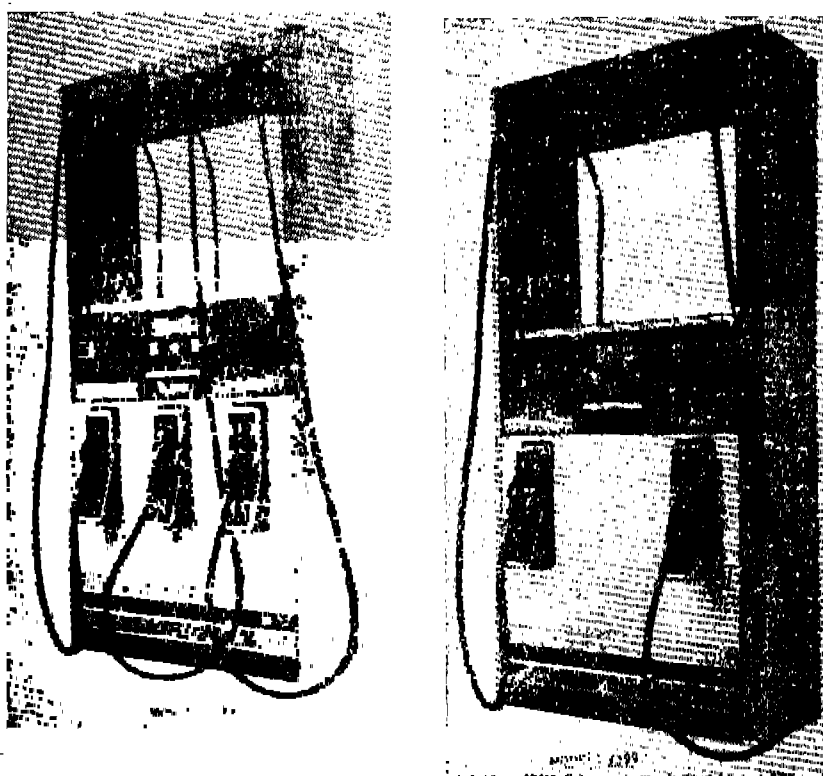
[फा० सं० डब्ल्यू एम० 21 (84)/96]

राजीव श्रीवास्तव, अपर सचिव

New Delhi, the 10th November, 1997

S.O. 2955 Whereas, the Central Government after considering the report submitted to it by the perscribed authority is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of Multi-purpose dispensing pumps for delivery of petroleum products with digital display of "Wayne Multi grade dispensing pump" series and with the trade name "WAYNE VISTA 390 and 399 MULTI-GRADE PUMPS" (hereinafter referred to as the Model; manufactured by M/s Wayne Division Dresser Industries, Inc, 124, West College Avenue P.O. Box 1159, Salisbury, MD, 21801-1859 USA and marketed.. in India by M/s Teltech Instrumentation Pvt. Ltd., 28.4, Kharadi Off Nagar Road, Pune-411014., and which is assigned the approval mark Ind/13/97/01,



The model (see figure) is Multi-purpose dispensing pumps meant for delivering petroleum products digital display of Wayne Vista 390 and 399 Multigrade Pump series . The technical details of the machine are as follows :

The technical featrures of the machine are as follows :

Monufactruter

M/s Wayne Division,  
Dresser Industries Inc,  
124, West College Avenue,  
P.O. Box 1859,  
Salisbury, MD, 2180x-1859 USA

Name of the Instrument

Multi-purpose dispensing pumps to deliver petroleum products.

Type :—	WAYNE VISTA 390 and 399 MULTIGRADE PUMPS.
Maximum flow rate	50 liter per minute nominal.
Quantity display	999.99 liter in increment of 0.01 litre.
Calibration adjustments	In steps of 5ml in a delivery of 5 litre.
Range of calibration provided	+q100 ml on a delivery of 5 litre
Display Unit	Six digit LED indicator for "amount to pay"
	Four digit LED indicator for Unit Price display (above each hose).
"Unit "setting range	Upto Rs. 99.99.
"Amount to Pay" setting rang	Upto Rs. 9999.9.
Power supply	230 v 50 Hertz a.c.
temperature range	+5°C to 40°C.
Delivery Hose	Less than 5 m with authomatic retrival facility.

File No. 21 (84) /96]

RAJIV SRIVASTAVA, Addl Secy.

नागर विमानन मंत्रालय

नई दिल्ली, 3 नवम्बर, 1997

का०आ० 2956.—केन्द्रीय सरकार राजभाषा (सं०) के शासकीय प्रयोजनों के लिए प्रयोग (नियम, 1970 के नियम 10 के उपनियम (4) के अनुसरण में, नागर विमानन मंत्रालय के प्रशासनिक नियंत्रणधीन पूर्वी क्षेत्र स्थित इंडियन एयरलाइंस के रांची स्टेशन को, जिनके कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

MINISTRY OF CIVIL AVIATION

New Delhi, the 3rd November, 1997

S.O. 2956.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Language (Use for the Official Purposes of the Union) Rule, 1976, the Central Government hereby notifies Indian Airlines Ltd., Ranchi Station, Eastern Region under the Administrative Control of Ministry of Civil Aviation, the staff of which have acquired the working knowledge of Hindi.

[संख्या ई०-11011/8/95 हिन्दी]

रघुनाथ साहय, निदेशक (राजभाषा)

[No. E. 11011/8/95-Hindi]

RAGHU NATH SAHAI, Director (O.L.).

(संस्कृति विभाग)

भारतीय पुरातत्व सर्वेक्षण

नई दिल्ली, 11 नवम्बर, 1997

का.आ. 2957.—केन्द्रीय सरकार ने, प्राचीन संस्मारक तथा पुरातत्ववीय स्थल और अथर्वशेष अधिनियम, 1958 (1958 का 24) जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) की अपेक्षानुसार भारत सरकार के संस्कृति विभाग (भारतीय पुरातत्व सर्वेक्षण) की अधिसूचना सं. का.आ. 796 (अ) तारीख 12 नवम्बर 1996 द्वारा, जो भारत के राजपत्र, भाग 2, खण्ड 3 उपखण्ड (ii), तारीख 15 नवम्बर, 1996 में प्रकाशित की गई थी, अनुसूची में विनिर्दिष्ट संस्मारक को राष्ट्रीय महत्व का घोषित करने के अपने आशय को दो मास की सूचना दी थी और उस अधिसूचना की एक प्रति उक्त संस्मारक के समीप सहज दृश्य स्थान पर लगा दी गई थी।

और उक्त राजपत्र 4 दिसम्बर को जनता को उपलब्ध करा दिया गया था।

और केन्द्रीय सरकार को जनता से कोई आक्षेप प्राप्त नहीं हुआ है।

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 4 की उपधारा (3), द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इससे उपाबद्ध अनुसूची में विनिर्दिष्ट प्राचीन संस्मारक को राष्ट्रीय महत्व का होना घोषित करती है।

राज्य	जिला	तहसील	परिक्षेत्र	संस्मारक का नाम	संलग्न रेखांक के अनु- सार संरक्षण के अधीन सम्मिलित किए जाने वाले राजस्व सं.
1	2	3	4	5	6
हिमाचल प्रदेश	शिमला	शिमला	शिमला	बाइस रीजस लॉज (राष्ट्रपति निवास)	खसरा सं. 32
					खसरा सं. 33
					खसरा सं. 34
					खसरा सं. 35
					खसरा सं. 36
					खसरा सं. 37
					खसरा सं. 38
					खसरा सं. 39
					खसरा सं. 40
					खसरा सं. 41
					खसरा सं. 42
					खसरा सं. 43
					खसरा सं. 44
					खसरा सं. 45
					खसरा सं. 46
					खसरा सं. 47
					खसरा सं. 48
					खसरा सं. 49
					खसरा सं. 50
					खसरा सं. 51
					खसरा सं. 52
					खसरा सं. 53
					खसरा सं. 54
					खसरा सं. 55
					खसरा सं. 56
					खसरा सं. 57
					खसरा सं. 58
					खसरा सं. 59
					खसरा सं. 60
					खसरा सं. 61
					खसरा सं. 62
					खसरा सं. 63
					खसरा सं. 64
					खसरा सं. 65
					खसरा सं. 66
					खसरा सं. 68
					खसरा सं. 78
					खसरा सं. 79
					खसरा सं. 80
					खसरा सं. 81
					खसरा सं. 82
					खसरा सं. 83



वर्ग मीटर में क्षेत्र	स्वामित्व	सीमाएं	टिप्पणियां
7	8	9	10
438.87	केन्द्रीय सरकार	उत्तर : खसरा सं.	केन्द्रीय लोक निर्माण विभाग के
77.88		321, 323, 389, और	कब्जाधीन खसरा संख्याओं
252.99		रोड	का विवरण
274.70			
20.80			
1.44	केन्द्रीय सरकार	पूर्व खसरा सं. 459	32 से 43, 78 से 95, 194
17.64		वर्षा खसरा सं. :	से 208, 255 से 260,
50.82		193, 252, 253, 254,	320 से 328, 333 से 338,
1.00		621, 622, 623, 624,	470 से 493, 507, 523
2659.62		625, 838, 871, 872,	528 से 620, 887 से
15548.34		873, 874, 877, 979,	891, इंडियन इंस्टीट्यूट
794.62		896, 895,	ऑफ एडवांस स्टडीज के
1440.88		पश्चिम खसरा सं.	कब्जाधीन खसरा संख्यांक
130.80		24 रोड, 31 रोड,	44 से 66, 68, 261
47.00		95 रोड, 98, 193	से 319, 329 से 332
853.04			हिमाचल प्रदेश विश्वविद्यालय
32.65			शिमला द्वारा केन्द्रीय
13.33			लोक निर्माण विभाग के
327.07			कब्जाधीन हिमाचल प्रदेश
6.88			विश्वविद्यालय शिमला और
77.14			केन्द्रीय लोक निर्माण विभाग
39.65			के कब्जाधीन खसरा संख्यांक
6.70			494 से 506, 508 से
56.03			522, 524 से 527
18.88			
36.66			
37.60			
23.50			
30.68			
335.12			
28.00			
16.20			
29.24			
5.78			
55.73			
21.12			
1373.28			
933.20			
1.44			
176.12			
1.44			
3.06			

1	2	3	4	5	6
हिमाचल प्रदेश	शिमला	शिमला	शिमला	बाइस रीगल लॉज (राष्ट्रपति निवास)	खसरा सं. 84 खसरा सं. 85 खसरा सं. 86 खसरा सं. 87 खसरा सं. 88 खसरा सं. 99 खसरा सं. 90 खसरा सं. 91 खसरा सं. 92 खसरा सं. 93 खसरा सं. 94 खसरा सं. 95 खसरा सं. 194 खसरा सं. 195 खसरा सं. 196 खसरा सं. 197 खसरा सं. 198 खसरा सं. 199 खसरा सं. 200 खसरा सं. 201 खसरा सं. 202 खसरा सं. 203 खसरा सं. 204 खसरा सं. 205 खसरा सं. 206 खसरा सं. 207 खसरा सं. 208 एसरा सं. 255 खसरा सं. 256 खसरा सं. 257 खसरा सं. 258 खसरा सं. 259 खसरा सं. 260 खसरा सं. 261 खसरा सं. 262 खसरा सं. 263 खसरा सं. 264 खसरा सं. 265 खसरा सं. 266 खसरा सं. 267 खसरा सं. 268 खसरा सं. 269 खसरा सं. 270 खसरा सं. 271 खसरा सं. 272 खसरा सं. 273

7	8	9	10
44.85	केन्द्रीय सरकार		
24.00			
28.00			
20.60			
21.58			
21.50			
2.88			
210.74			
1613.34			
1441.12			
5555.34			
283.67			
21.06			
7.02			
3.80			
7.20			
90.83			
24.60			
6.72			
30.24			
65.45			
36.96			
182.75			
375.10			
3283.76			
50.46			
354.97			
1.21			
1.21			
888.00			
53.30			
14.15			
3445.22			
817.23			
389.06			
528.36			
7.98			
139.80			
100.52			
36.60			
5.00			
83.27			
1966.57			
130.90			
1.98			
858.99			

1	2	3	4	5	6
हिमाचल प्रदेश	शिमला	शिमला	शिमला	बाइस रीगल लॉज (राष्ट्रपति निवास)	खसरा सं. 274 खसरा सं. 275 खसरा सं. 276 खसरा सं. 277 खसरा सं. 278 खसरा सं. 279 खसरा सं. 280 खसरा सं. 281 खसरा सं. 282 खसरा सं. 283 खसरा सं. 284 खसरा सं. 285 खसरा सं. 286 खसरा सं. 287 खसरा सं. 288 खसरा सं. 289 खसरा सं. 290 खसरा सं. 291 खसरा सं. 292 खसरा सं. 293 खसरा सं. 294 खसरा सं. 294/1 खसरा सं. 295 खसरा सं. 296 खसरा सं. 297 खसरा सं. 298 खसरा सं. 299 खसरा सं. 300 खसरा सं. 301 खसरा सं. 302 खसरा सं. 303 खसरा सं. 304 खसरा सं. 305 खसरा सं. 306 खसरा सं. 307 खसरा सं. 307/1 खसरा सं. 308 खसरा सं. 309 खसरा सं. 310 खसरा सं. 311 खसरा सं. 312 खसरा सं. 313 खसरा सं. 314 खसरा सं. 315 खसरा सं. 316 खसरा सं. 317 खसरा सं. 318 खसरा सं. 319

7	8	9	10
6.90	केन्द्रीय सरकार		
72.72			
60.89			
46.35			
102.56			
7.12			
3689.14			
7.92			
71.89			
26.01			
8.60			
3.77			
61.42			
7.20			
49.84			
25.55			
7.20			
63.88			
3.24			
863.37			
141.16			
16.47			
23.90			
102.90			
44.46			
22.20			
63.40			
15.92			
50.25			
548.65			
21.12			
130.24			
43.83			
78.14			
37.42			
20.44			
1.44			
4.16			
63.16			
168.51			
8.80			
81.53			
61.33			
1010.96			
174.96			
5.39			
12.74			
2.89			

1	2	3	4	5	6
हिमाचल प्रदेश	शिमला	शिमला	शिमला	बाइस रीगल लॉज (राष्ट्रपति निवास)	खसरा सं. 320 खसरा सं. 321 खसरा सं. 322 खसरा सं. 323 खसरा सं. 324 खसरा सं. 325 खसरा सं. 326 खसरा सं. 327 खसरा सं. 328 खसरा सं. 329 खसरा सं. 330 खसरा सं. 331 खसरा सं. 332 खसरा सं. 333 खसरा सं. 334 खसरा सं. 335 खसरा सं. 336 खसरा सं. 337 खसरा सं. 338 खसरा सं. 339 खसरा सं. 340 खसरा सं. 341 खसरा सं. 342 खसरा सं. 343 खसरा सं. 344 खसरा सं. 345 खसरा सं. 346 खसरा सं. 347 खसरा सं. 348 खसरा सं. 349 खसरा सं. 350 खसरा सं. 351 खसरा सं. 352 खसरा सं. 353 खसरा सं. 354 खसरा सं. 355 खसरा सं. 356 खसरा सं. 357 खसरा सं. 358 खसरा सं. 359 खसरा सं. 360 खसरा सं. 361 खसरा सं. 362 खसरा सं. 363 खसरा सं. 364 खसरा सं. 365 खसरा सं. 366

7	8	9	10
3646.86	केन्द्रीय सरकार		
2305.21			
54.40			
1030.52			
911.77			
75.04			
1.21			
697.52			
92.89			
59.80			
686.63			
91.43			
1349.82			
237.07			
1.08			
11.05			
4.70			
2.64			
0.54			
514.17			
6.30			
2.73			
5.08			
0.72			
52.14			
71.86			
89.90			
950.24			
167.40			
0.40			
6.76			
52.47			
103.06			
198.46			
1.87			
5.47			
180.94			
5.60			
8.80			
6.60			
10.00			
430.38			
6.12			
28.44			
5.22			
1.35			
99.85			

1	2	3	4	5	6
हिमाचल प्रदेश	शिमला	शिमला	शिमला	बाइस रीगल लॉज (राष्ट्रपति निवास)	खसरा सं. 367 खसरा सं. 368 खसला सं. 369 खसरा सं. 370 खसरा सं. 371 खसरा सं. 372 खसरा सं. 373 खसरा सं. 374 खसरा सं. 375 खसरा सं. 376 खसरा सं. 377 खसरा सं. 378 खसरा सं. 379 खसरा सं. 380 खसरा सं. 381 खसरा सं. 382 खसरा सं. 383 खसरा सं. 384 खसरा सं. 385 खसरा सं. 386 खसरा सं. 387 खसरा सं. 388 खसरा सं. 470 खसरा सं. 471 खसरा सं. 472 खसरा सं. 473 खसरा सं. 474 खसरा सं. 475 खसरा सं. 476 खसरा सं. 477 खसरा सं. 478 खसरा सं. 479 खसरा सं. 480 खसरा सं. 481 खसरा सं. 482 खसरा सं. 483 खसरा सं. 484 खसरा सं. 485 खसरा सं. 486 खसरा सं. 487 खसरा सं. 488 खसरा सं. 489 खसरा सं. 490 खसरा सं. 491 खसरा सं. 492 खसरा सं. 493 खसरा सं. 494



7	8	9	10
1.00			
1.00			
1.00			
1.10			
1.50			
1.70			
33.04			
358.23			
133.08			
10.08			
33.23			
21.39			
66.60			
5.27			
1.21			
98.67			
240.58			
2.89			
37.51			
16.50			
6793.97			
1275.84	केन्द्रीय सरकार		
16.02			
6.62			
5.22			
9.44			
49.88			
42.75			
4.90			
7.11			
10.81			
16.39			
478.19			
34.88			
1189.59			
5.40			
47.50			
12.25			
5.60			
7.28			
9.73			
8.64			
9.00			
29.16			
1.98			
276.08			
63.60			

1	2	3	4	5	6
हिमाचल प्रदेश	शिमला	शिमला	शिमला	वाइस रीजल लाज (राष्ट्रपति निवास)	खसरा सं. 495 खसरा सं. 496 खसरा सं. 497 खसरा सं. 498 खसरा सं. 499 खसरा सं. 500 खसरा सं. 501 खसरा सं. 502 खसरा सं. 503 खसरा सं. 504 खसरा सं. 505 खसरा सं. 506 खसरा सं. 507 खसरा सं. 508 खसरा सं. 509 खसरा सं. 510 खसरा सं. 511 खसरा सं. 512 खसरा सं. 513 खसरा सं. 514 खसरा सं. 515 खसरा सं. 515/1 खसरा सं. 516 खसरा सं. 517 खसरा सं. 518 खसरा सं. 519 खसरा सं. 520 खसरा सं. 521 खसरा सं. 522 खसरा सं. 523 खसरा सं. 524 खसरा सं. 525 खसरा सं. 526 खसरा सं. 527 खसरा सं. 528 खसरा सं. 529 खसरा सं. 530 खसरा सं. 531 खसरा सं. 532 खसरा सं. 533 खसरा सं. 534 खसरा सं. 535 खसरा सं. 536 खसरा सं. 537 खसरा सं. 538 खसरा सं. 539 खसरा सं. 540

7	8	9	10
36.00			
134.58			
9.24			
37.12			
94.32			
1.80			
727.07			
18.60			
10.17			
25.56			
8.25			
13.30			
49.97			
6.27			
24.88	केन्द्रीय		
18.84	सरकार		
70.20			
36.26			
228.82			
6.16			
136.53			
159.09			
28.93			
166.71			
52.58			
121.83			
8.64			
12.61			
31.96			
28.40			
2.70			
16.02			
6.46			
34.74			
1.92			
749.36			
20.47			
417.79			
38.42			
71.40			
58.72			
67.58			
1.44			
5.10			
940.75			
0.56			
141.44			

1	2	3	4	5	6
हिमाचल प्रदेश	शिमला	खिमला	शिमला	वाइस रीजल लाइ (राष्ट्रपति निवास)	
					खसरा सं. 541
					खसरा सं. 542
					खसरा सं. 543
					खसरा सं. 544
					खसरा सं. 545
					खसरा सं. 546
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					खसरा सं. 548
					खसरा सं. 549
					खसरा सं. 550
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					खसरा सं. 553
					खसरा सं. 554
					खसरा सं. 555
					खसरा सं. 556
					खसरा सं. 557
					खसरा सं. 558
					खसरा सं. 559
					खसरा सं. 560
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					खसरा सं. 562
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					खसरा सं. 564
					खसरा सं. 565
					खसरा सं. 566
					खसरा सं. 567
					खसरा सं. 568
					खसरा सं. 569
					खसरा सं. 570
					खसरा सं. 571
					खसरा सं. 572
					खसरा सं. 573
					खसरा सं. 574
					खसरा सं. 575
					खसरा सं. 576
					खसरा सं. 577
					खसरा सं. 578
					खसरा सं. 579
					खसरा सं. 580
					खसरा सं. 581
					खसरा सं. 582
					खसरा सं. 583
					खसरा सं. 584
					खसरा सं. 585
					खसरा सं. 586

7	8	9	10
623.05			
145.40			
103.71			
19.85			
62.68			
2.76			
0.81			
109.36	केन्द्रीय		
11.40	सरकार		
1.50			
62.75			
1.35			
1.44			
58.58			
19.10			
88.55			
1.82			
1.90			
1.90			
39.12			
5.06			
21.75			
1578.19			
14.56			
65.40			
42.77			
11.04			
12.84			
154.77			
20.80			
2.88			
4.90			
4.21			
25.88			
2.09			
27.30			
6.70			
67.10			
9.72			
255.29			
9.10			
14.16			
15.62			
1.62			
3.00			
6.85			

1	2	3	4	5	6
					खसरा सं. 587
					खसरा सं. 588
					खसरा सं. 589
					खसरा सं. 590
					खसरा सं. 591
					खसरा सं. 592
					खसरा सं. 593
					खसरा सं. 594
					खसरा सं. 595
					खसरा सं. 596
					खसरा सं. 597
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					खसरा सं. 600
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					खसरा सं. 602
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					खसरा सं. 604
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					खसरा सं. 616
					खसरा सं. 617
					खसरा सं. 618
					खसरा सं. 619
					खसरा सं. 620
					खसरा सं. 887
					खसरा सं. 888
					खसरा सं. 889
					खसरा सं. 890
					खसरा सं. 891

7

8

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10

5.74	केन्द्रीय
69.77	सरकार
56.20	
1.60	
1.20	
1.21	
47.85	
132.02	
53.07	
3.00	
652.02	
87.51	
0.81	
91.93	
450.36	
213.80	
88.72	
863.77	
1.69	
404.95	
42.67	
98.72	
39.94	
196.39	
4.92	
78.24	
6.90	
5.40	
2.89	
125.78	
15.50	
46.98	
530.85	
1537.50	
110.96	
4.10	
297.65	
78.71	
800.76	

99565.24 वर्ग मीटर या 24.60 एकड़

DEPARTMENT OF CULTURE  
ARCHAEOLOGICAL SURVEY OF INDIA

New Delhi, the 11th November, 1997

(ARCHAEOLOGY)

S.O. 2957.—Whereas by notification of the Government of India in the Department of Culture (Archaeological Survey of India) number S.O. 796(E), dated the 12th November 1996 published in Part II, Section 3, Sub-Section (ii) of the Gazette of India dated the 15th November, 1996, the Central Government gave two months' notice of its intention to declare the monument specified in the Schedule annexed hereto to be of national importance.

And whereas copy of the said notification was affixed in a conspicuous place near the said monument as required

by sub section (i) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958);

And whereas copies of the said Gazette notification were made available to the public on the 4th December 1996;

And whereas no objection have been received to the making of such declaration from any person by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (3) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said ancient monument to be of national importance.

SCHEDULE

State	District	Tehsil	Locality	Name of monument	Revenue numbers to be included under protection as per plan attached
1	2	3	4	5	6
Himachal Pradesh	Shimla	Shimla	Shimla	Vice Regal Lodge (Rashtrapati Niwas)	Khasra Number 32 Khasra Number 33 Khasra Number 34 Khasra Number 35 Khasra Number 36 Khasra Number 37 Khasra Number 38 Khasra Number 39 Khasra Number 40 Khasra Number 41 Khasra Number 42 Khasra Number 43 Khasra Number 44 Khasra Number 45 Khasra Number 46 Khasra Number 47 Khasra Number 48 Khasra Number 49 Khasra Number 50 Khasra Number 51 Khasra Number 52 Khasra Number 53 Khasra Number 54 Khasra Number 55 Khasra Number 56 Khasra Number 57 Khasra Number 58 Khasra Number 59 Khasra Number 60 Khasra Number 61 Khasra Number 62 Khasra Number 63 Khasra Number 64 Khasra Number 65 Khasra Number 66 Khasra Number 68 Khasra Number 78 Khasra Number 79





1	2	3	4	5	6
Himachal Pradesh (Contd.)	Shimla (Contd.)	Shimla (Contd.)	Shimla (Contd.)	Vice Regal Lodge (Rashtrapati Niwas) (Contd.)	Khasra Number 80 Khasra Number 81 Khasra Number 82 Khasra Number 83 Khasra Number 84 Khasra Number 85 Khasra Number 86 Khasra Number 87 Khasra Number 88 Khasra Number 89 Khasra Number 90 Khasra Number 91 Khasra Number 92 Khasra Number 93 Khasra Number 94 Khasra Number 95 Khasra Number 194 Khasra Number 195 Khasra Number 196 Khasra Number 197 Khasra Number 198 Khasra Number 199 Khasra Number 200 Khasra Number 201 Khasra Number 202 Khasra Number 203 Khasra Number 204 Khasra Number 205 Khasra Number 206 Khasra Number 207 Khasra Number 208 Khasra Number 255 Khasra Number 256 Khasra Number 257 Khasra Number 258 Khasra Number 259 Khasra Number 260 Khasra Number 261 Khasra Number 262 Khasra Number 263 Khasra Number 264 Khasra Number 265 Khasra Number 266 Khasra Number 267 Khasra Number 268 Khasra Number 269 Khasra Number 270 Khasra Number 271 Khasra Number 272 Khasra Number 273 Khasra Number 274 Khasra Number 275 Khasra Number 276 Khasra Number 277 Khasra Number 278

7

8

9

10

1.44	Central Government
176.12	
1.44	
3.06	
44.85	
24.00	
28.00	
20.60	
21.58	
21.50	
2.88	
210.74	
1613.34	
1441.12	
5555.34	
283.67	
21.06	
7.02	
3.80	
7.20	
90.83	
24.60	
6.72	
30.24	
65.45	
36.96	
182.75	
375.10	
3283.76	
50.46	
354.97	
1.21	
1.21	
888.00	
53.30	
14.15	
3445.22	
817.23	
389.06	
528.36	
7.98	
139.80	
100.52	
35.60	
5.00	
83.27	
1966.57	
130.90	
1.96	
858.99	
6.90	
72.72	
60.89	
46.35	
102.56	

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1	2	3	4	5	6
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Himachal Pradesh (Contd.)

Khasra Number 279  
Khasra Number 280  
Khasra Number 281  
Khasra Number 282  
Khasra Number 283  
Khasra Number 284  
Khasra Number 285  
Khasra Number 286  
Khasra Number 287  
Khasra Number 288  
Khasra Number 289  
Khasra Number 290  
Khasra Number 291  
Khasra Number 292  
Khasra Number 293  
Khasra Number 294  
Khasra Number 294/1  
Khasra Number 295  
Khasra Number 296  
Khasra Number 297  
Khasra Number 298  
Khasra Number 299  
Khasra Number 300  
Khasra Number 301  
Khasra Number 302  
Khasra Number 303  
Khasra Number 304  
Khasra Number 305  
Khasra Number 306  
Khasra Number 307  
Khasra Number 307/1  
Khasra Number 308  
Khasra Number 309  
Khasra Number 310  
Khasra Number 311  
Khasra Number 312  
Khasra Number 313  
Khasra Number 314  
Khasra Number 315  
Khasra Number 316  
Khasra Number 317  
Khasra Number 318  
Khasra Number 319  
Khasra Number 320  
Khasra Number 321  
Khasra Number 322  
Khasra Number 323  
Khasra Number 324  
Khasra Number 325  
Khasra Number 326  
Khasra Number 327  
Khasra Number 328  
Khasra Number 329  
Khasra Number 330  
Khasra Number 331

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7	8	9	10
7.12	Central Government		
3689.14			
7.92			
71.89			
26.01			
8.60			
3.77			
61.42			
7.20			
49.84			
25.55			
7.20			
63.88			
3.24			
863.37			
141.16			
16.47			
23.90			
102.90			
44.46			
22.20			
63.40			
15.92			
50.23			
548.65			
21.12			
130.24			
43.83			
78.14			
37.42			
20.44			
1.44			
4.16			
63.16			
168.51			
8.80			
81.53			
61.33			
1010.96			
174.96			
5.39			
12.74			
2.89			
3746.86			
2305.21			
54.40			
1030.52			
911.77			
75.04			
1.21			
697.52			
92.89			
59.80			
686.63			
91.43			

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1	2	3	4	5	6
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## Himachal Pradesh (Contd.)

Khasra Number 332  
Khasra Number 333  
Khasra Number 334  
Khasra Number 335  
Khasra Number 336  
Khasra Number 337  
Khasra Number 338  
Khasra Number 339  
Khasra Number 340  
Khasra Number 341  
Khasra Number 342  
Khasra Number 343  
Khasra Number 344  
Khasra Number 345  
Khasra Number 346  
Khasra Number 347  
Khasra Number 348  
Khasra Number 349  
Khasra Number 350  
Khasra Number 351  
Khasra Number 352  
Khasra Number 353  
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Khasra Number 356  
Khasra Number 357  
Khasra Number 358  
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Khasra Number 360  
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Khasra Number 363  
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Khasra Number 368  
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Khasra Number 370  
Khasra Number 371  
Khasra Number 372  
Khasra Number 373  
Khasra Number 374  
Khasra Number 375  
Khasra Number 376  
Khasra Number 377  
Khasra Number 378  
Khasra Number 379  
Khasra Number 380  
Khasra Number 381  
Khasra Number 382  
Khasra Number 383  
Khasra Number 384  
Khasra Number 385

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7

8

9

10

1349.82 Central Govt.

237.07

1.08

11.05

4.70

2.64

0.54

514.17

6.30

2.73

5.08

0.72

52.14

71.86

89.90

950.24

167.40

0.64

6.76

52.47

103.06

198.46

1.87

5.74

180.94

5.60

8.80

6.60

10.00

430.38

6.12

28.44

5.22

1.35

99.85

1.00

1.00

1.00

1.10

1.50

1.10

33.04

358.23

133.08

10.06

33.23

21.39

66.60

5.27

1.21

98.67

240.58

2.89

37.51

1

2

3

4

5

6

Himachal Pradesh (Contd.)

Khasra Number 386  
 Khasra Number 387  
 Khasra Number 388  
 Khasra Number 470  
 Khasra Number 471  
 Khasra Number 472  
 Khasra Number 473  
 Khasra Number 474  
 Khasra Number 475  
 Khasra Number 476  
 Khasra Number 477  
 Khasra Number 478  
 Khasra Number 479  
 Khasra Number 480  
 Khasra Number 481  
 Khasra Number 482  
 Khasra Number 483  
 Khasra Number 484  
 Khasra Number 485  
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7	8	9	10
16.50	Central		
6793.97	Government		
1275.84			
16.02			
6.62			
5.22			
9.44			
49.88			
42.75			
4.90			
7.11			
10.81			
16.39			
478.19			
34.88			
1189.59			
5.40			
47.50			
12.25			
5.60			
7.28			
9.73			
8.64			
9.00			
29.16			
1.98			
276.08			
63.60			
36.00			
134.58			
9.24			
37.12			
94.32			
1.80			
727.06			
18.60			
10.17			
25.56			
8.25			
13.30			
49.97			
6.27			
24.88			
18.84			
70.20			
36.26			
228.82			
6.16			
136.53			
159.09			
28.93			
166.71			
52.58			
121.83			
8.64			
12.61			
31.96			

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Himachal Pradesh (Contd.)					Khasra Number 523
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					Khasra Number 578

7	8	9	10
28.40	Central Government		
2.70			
16.02			
6.46			
34.74			
1.92			
749.36			
20.47			
417.79			
8.72			
71.40			
58.72			
67.58			
1.44			
5.10			
940.75			
0.56			
141.44			
623.03			
145.40			
103.71			
19.85			
62.68			
2.76			
0.81			
109.36			
11.40			
1.50			
62.75			
1.35			
1.44			
58.58			
19.10			
88.55			
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154.77			
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4.21			
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27.30			
6.70			
67.10			

1	2	3	4	5	6
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Himachal Pradesh Contd.					
					Khasra Number 579
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					Khasra Number 887
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					Khasra Number 889
					Khasra Number 890
					Khasra Number 891

7	8	9	10
9.72			
255.29	Central		
9.10	Government		
14.16			
15.62			
1.62			
3.00			
6.85			
5.74			
69.77			
56.20			
1.60			
1.20			
1.21			
47.85			
132.02			
53.07			
3.00			
652.02			
87.51			
0.81			
91.93			
450.36			
213.80			
88.72			
863.77			
1.69			
404.95			
42.67			
98.72			
39.04			
196.39			
4.92			
78.24			
6.90			
5.40			
2.89			
125.78			
15.50			
46.98			
530.85			
1537.50			
110.96			
4.10			
297.65			
78.71			
800.76			
<hr/>			
99565.24 Sq. mts or 24.60 Acres			

[F. No. 2/10/96-M]

Satya Pal, Director (Administration)



## (संस्कृति विभाग)

## भारतीय पुरातत्व सर्वेक्षण

नई दिल्ली, 12 नवम्बर, 1997

क्र. अ. 2958.—केन्द्रीय सरकार ने, प्राचीन संस्मारक तथा पुरातत्वाय प्थन और अवशेष अधिनियम, 1958 (1958 का 24) जिसे उसमें इसके पश्चात् उक्त अधिनियम कहा गया है की धारा 4 की उपधारा (1) की अपेक्षा नुसार भारत सरकार के संस्कृति विभाग (भारतीय पुरातत्व सर्वेक्षण) की अधिसूचना सं. का. अ. 3235 तारीख 12 नवम्बर, 1996 द्वारा जो भारत के राजपत्र, भाग 2, खण्ड 3, उपखण्ड (ii), तारीख 23 नवम्बर, 1996 प्रकाशित की गई थी, अनुसूची में विनिर्दिष्ट संस्मारक को राष्ट्रीय महत्व का घोषित करने के अपने आशय की दो मा की सूचना दी थी और उस अधिसूचना की एक प्रति उक्त संस्मारक के समीप सहज दृश्य स्थान पर लगा दी गई थी

और उक्त राजपत्र 19 दिसम्बर, 96 को जनता को उपलब्ध करा दिया गया था।

और केन्द्रीय सरकार को जनता से कोई आक्षेप प्राप्त नहीं हुआ है।

अतः, अब केन्द्रीय सरकार उक्त अधिनियम की धारा 4 की उपधारा (3), द्वारा पदत शक्तियों का प्रयोग करते हुए इससे उपान्वद्ध अनुसूची में विनिर्दिष्ट प्राचीन संस्मारक को राष्ट्रीय महत्व का होना घोषित करती है।

## अनुसूची

जिला	तहसील	परिक्षेत्र	संस्मारक का नाम	खसरा नं.	क्षेत्र एकड़	स्वामित्व देकटेर	सीमाएं
रायसेन	गोहर-गंज	भोजपुर	प्राचीन अवशेष प्रसार उत्कीर्णन भोजपुर, तहसील गोहरगंज, जिला रायसेन	34	0.96	0.39	मध्य प्रदेश सरकार
					0.92	0.38	मध्य प्रदेश सरकार
				35			उत्तर : वन भूमि पी. 819/का शेप भाग
				37	5.825	2.36	मध्य प्रदेश सरकार
				38	1.20	0.49	दक्षिण : 46/2 का शेप भाग। वन भूमि पी. 819/खसरा सं. 40 और 38 का शेप भाग पूर्व पी 819 वन भूमि का शेप भाग और खसरा सं. सं. 38
			(भाग)	पी-819	62.50	25.31	वन विभाग, मध्य प्रदेश सरकार
							पश्चिम : वेतवा नदी खसरा सं. 48

71.405 28.93 कुल सरकारी क्षेत्र

[फा सं. 2/2/96—एम.]  
मन्थपाल, निदेशक (प्रशासन)

## DEPARTMENT OF CULTURE

## ARCHAEOLOGICAL SURVEY OF INDIA

## (ARCHAEOLOGY)

New Delhi, the 12th November, 1997

S.O. 2958.—Whereas by notification of the Government of India in the Department of Culture (Archaeological Survey of India) number S.O. 35, dated the 12th November, 1996, published Part II, Section 3, Sub-Section (ii) of the Gazette of India dated the 23rd November, 1996, the Central Government gave two months' notice of its intention to declare the monument specified in the Schedule annexed hereto, to be of national importance.

And whereas copy of the said notification was affixed in a conspicuous place near the said monument as required by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958);

And whereas copies of the said Gazette Notification were made available to the public on 10th December, 1996.

And whereas no objection have been received to the making of such declaration from any person by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (3) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said Ancient Monument to be of national importance.

## SCHEDULE

District	Tehsil	Locality	Name of Monument/ Site	Khasra Area		Ownership	Boundaries	Remarks
				Acre	Hec- tare			
Raisen	Goharganj Bhojpur	Ancient re- mains rocks engraving Bhoj- pur, Tahsil- Goharganj, District Raisen.	34	0.96	0.39	Government of Madhya Pradesh	North; Forest remaining part of P-819/VIII	The Siva Temple (Noti- fied as Sai- vite temple) situated Khasra No. 36 (Area 0.35 Acre 0.15 Hectare) is protected vide protec- tion Notifi- cation on No. D. 250/5 A2 dated 12-2-1951 under sec- tion 3(1) of Ancient Monuments Act, 1904 by Government of India, Ministry of Education ; confirmed vide Noti- fication No. D.250/51-A2 dated 10-5-1951.
			35	0.92	0.38	Government of Madhya Pradesh	South remain- ing part of 46/2. Forest land	
			37	5.825	2.36	Government of Madhya Pradesh	P-819/VIII Khasra No. 40 and re- maining	
			38 (Part)	1.20	0.49	Government of Madhya Pradesh	part of 38	
			P.819 VIII	62.50	25.31	Forest Depart- ment Government of Madhya Pradesh	East ; Remain- ing part of Forest land P-819/VIII and Khasra Number 38	
							71.405	

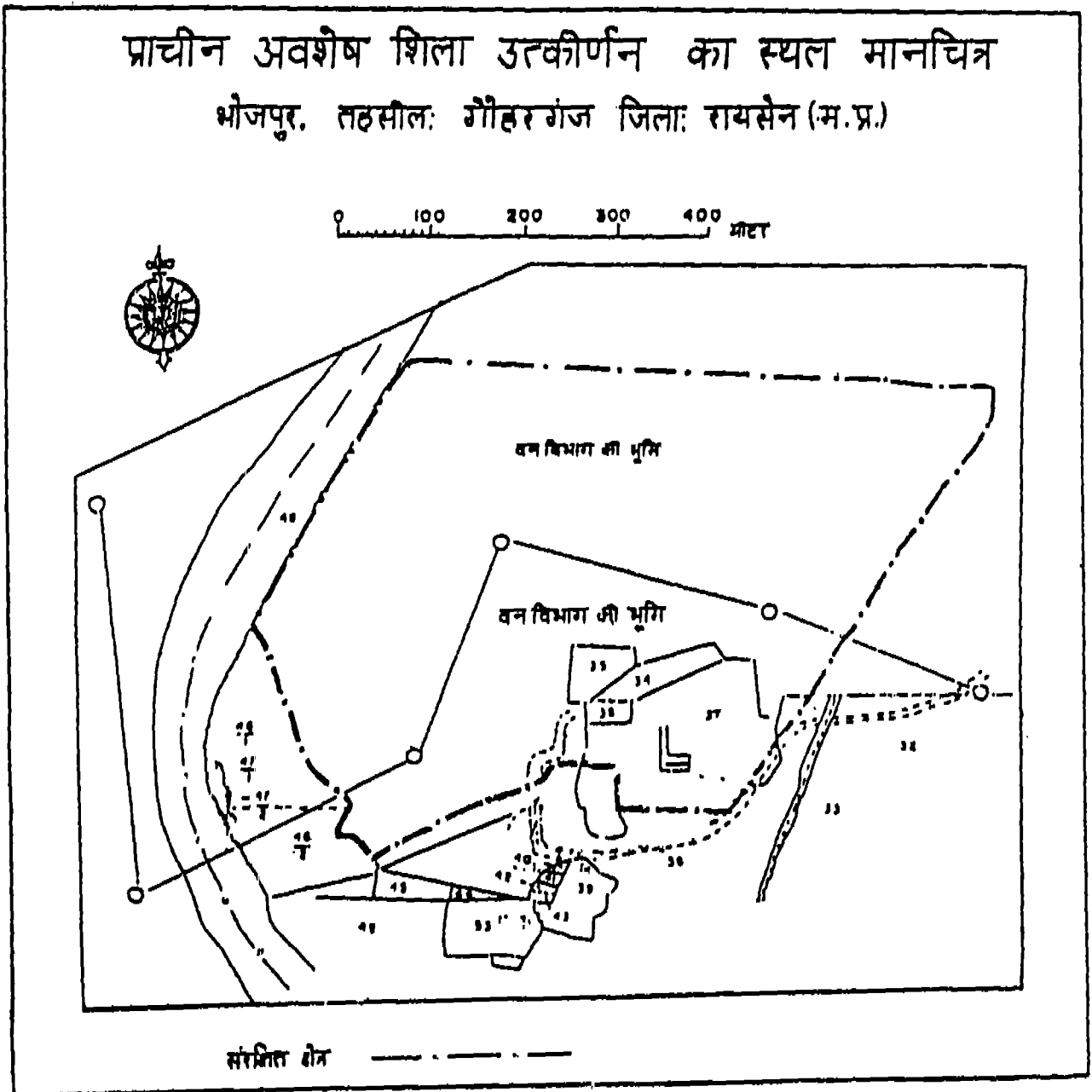
(SITE PLAN REPRODUCED BELOW

(SITE PLAN REPRODUCED BELOW)



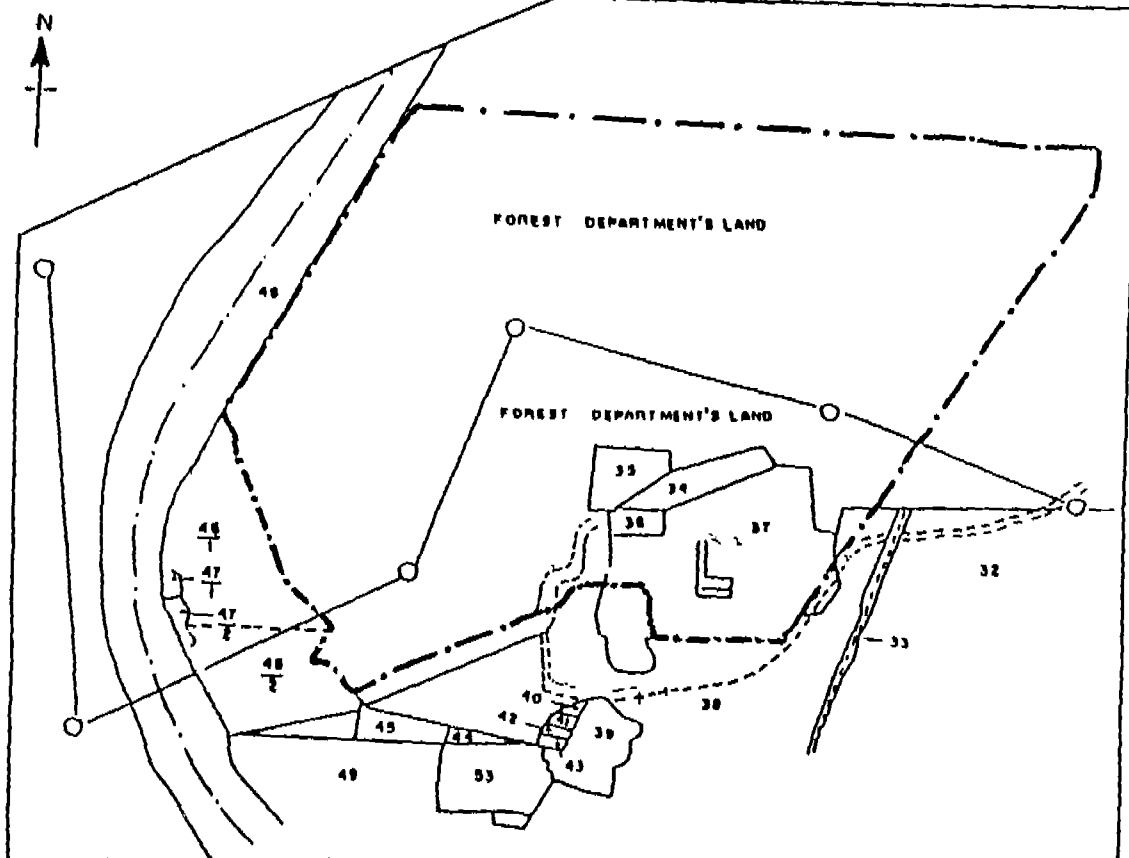
# प्राचीन अवशेष शिला उत्कीर्णन का स्थल मानचित्र

भोजपुर, तहसील: गौहरगंज जिला: रायसेन (म.प्र.)



SITE PLAN OF  
ANCIENT REMAINS ROCK ENGRAVINGS  
BHOJPUR, TAHSIL - GOHARGANJ, DISTRICT - RAISEN

0 100 200 300 400 METRES



PROTECTED AREA — — — — —

## विद्युत मंत्रालय

नई दिल्ली, 4 नवम्बर, 1997

का. आ. 2959:—भारतीय बिजली नियम, 1956 ( इसके आगे इन्हें उक्त नियम कहा गया है ) के नियम-45 के उप-नियम (1) के उपबन्ध द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा आणविक ऊर्जा विभाग, भारत सरकार ( इसके आगे इसे उक्त विभाग कहा गया है ) तथा इसकी संघटक यानियों (1) भामा एटोमिक रिसर्च सेंटर, मुम्बई (2) सेंटर फॉर एडवांस टेक्नोलॉजी, इन्दौर (3) इन्दिरा गांधी सेंटर फॉर एटोमिक रिसर्च, कल्पाक्कम, (4) वारियेबल एनर्जी साइक्लोट्रॉन सेंटर, कलकत्ता, (5) अटॉमिक मिनेरल्स डिवीजन, हैदराबाद (6) हेवी वाटर बोर्ड, मुम्बई, (7) न्यूक्लीयर फ्यूल कॉम्प्लेक्स, हैदराबाद (8) बोर्ड ऑफ रेडिएशन एण्ड आइसोटोम टेक्नोलॉजी, मुम्बई (9) डायरेक्टर ऑफ परवेस एण्ड स्टोर्स, मुम्बई (10) कंस्ट्रक्शन सर्विस एण्ड ऐस्टेट मैनेजमेंट ग्रुप, मुम्बई (11) जनरल सर्विस ऑर्गनाइजेशन, कल्पाक्कम, (12) टाटा इंस्टिट्यूट ऑफ फण्डामेंटल रिसर्च, मुम्बई (13) टाटा मेमोरियल सेंटर, मुम्बई (14) साहा इंस्टिट्यूट ऑफ न्यूक्लीयर फिजिक्स, कलकत्ता (15) इंस्टिट्यूट ऑफ फिजिक्स, भुवनेश्वर (16) इंस्टिट्यूट ऑफ मैथेमेटिकल साइंस, चेन्नई (17) मेहता रिसर्च इंस्टिट्यूट ऑफ मैथेमेटिकल एण्ड मैथेमेटिकल फिजिक्स, इलाहाबाद (18) अटॉमिक एनर्जी ऐजुकेशन सोसाइटी, मुम्बई (19) इंस्टिट्यूट ऑफ प्लाज्मा रिसर्च, गांधीनगर (20) न्यूक्लीयर पावर कॉर्पोरेशन ऑफ इंडिया लि., मुम्बई, (21) इण्डियन रेयर अर्थ लिमिटेड, मुम्बई (22) युरेनियम कॉर्पोरेशन ऑफ इंडिया लिमिटेड, बिहार और (23) इलेक्ट्रॉनिक कॉर्पोरेशन ऑफ इंडिया लिमिटेड, हैदराबाद, को निम्नलिखित शर्तों के तहत उक्त उप-नियम (1) के प्रावधानों से छूट प्रदान करती है:—

- (1) यह कि उक्त विभाग उक्त नियमों में निर्दिष्ट सभी सुरक्षा प्रावधानियों की अनुपालन करेगा।
- (2) यह कि उक्त विभाग, उस विभाग से संबंधित तथा उक्त नियमों के नियम-4 के अंतर्गत निर्धारित योग्यता रखने वाले व्यक्ति के निरीक्षण के अंतर्गत अधिष्ठापना कार्य करेगा।
- (3) उक्त विभाग द्वारा किया गया सम्पूर्ण अधिष्ठापना कार्य उक्त नियमों के अन्य प्रावधानों के अनुरूप होगा।

[फा. सं. 25/10/94-डी (एस ई बी)]

जिजि थॉमसन, निदेशक

## MINISTRY OF POWER

New Delhi, the 4th November, 1997

S.O. 2959.—In exercise of the powers conferred by the proviso to sub-rule (1) of rule 45 of the Indian Electricity Rules, 1956 (hereinafter referred to as the said rules), the Central Government hereby exempts the Department of Atomic Energy, Government of India (hereinafter referred to as the said department) and its constituent units (1) Bhaba Atomic Research Centre, Mumbai, (2) Centre for Advance Technology, Indore, (3) Indira Gandhi Centre for Atomic Research, Kalpakkam, (4) Variable Energy Cyclotron Centre, Calcutta, (5) Atomic Minerals Division, Hyderabad, (6) Heavy Water Board, Mumbai, (7) Nuclear Fuel Complex, Hyderabad, (8) Board of Radiation and Isotope Technology, Mumbai, (9) Director of Purchase and Stores, Mumbai, (10) Construction Service and Estate Management Group, Mumbai, (11) General Services Organisation, Kalpakkam, (12) Tata Institute of Fundamental Research, Mumbai, (13) Tata Memorial Centre, Mumbai, (14) Saha Institute of Nuclear Physics, Calcutta, (15) Institute of Physics, Bhubaneswar, (16) Institute of Mathematical Science, Chennai, (17) The

Mehta Research Institute of Mathematics and Mathematical Physics, Allahabad. (18) Atomic Energy Education Society, Mumbai. (19) Institute of Plasma Research, Gandhinagar. (20) Nuclear Power Corporation of India Ltd., Mumbai. (21) Indian Rare Earths Limited, Mumbai. (22) Uranium Corporation of India Limited, Bihar. and (23) Electronic Corporation of India Limited, Hyderabad; from the provisions of said sub-rule (1) subject to the following conditions :

- (i) that the said department shall comply with all the safety precaution specified in the said rules.
- (ii) the said department shall carry out the installation works under the supervision of a person belonging to the said department and possessing the qualifications prescribed under rule 4 of the said rules; and
- (iii) all the installation work carried out by the said department shall be in accordance with the other provisions of the said rules.

[F. No. 25/10/94-D(SEB)]

JJI THOMSON, Director

नई दिल्ली, 7 नवम्बर, 1997

का. मा. 2960.—भारतीय बिजली अधिनियम, 1910 (1910 का 9) की धारा 36 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार, एतद्वारा श्री ए. एम. जोशी, मुख्य अभियंता (विद्युत निरीक्षणालय प्रभाग) केन्द्रीय विद्युत प्राधिकरण, नई दिल्ली को केन्द्र सरकार तथा 1. संघ राज्य क्षेत्रों से संबंधित अथवा नियंत्रणाधीन सभी अधिष्ठापनाओं के मामले में, केवल निम्न बोल्टता अधिष्ठापनाओं को छोड़कर जिनकी विद्युत के क्रमिक आपूर्ति कक्षाओं द्वारा जांच की जानी जारी रहेगी, विद्युत इन्स्पेक्टर नियुक्त करते हैं :—

1. संघ शासित क्षेत्र अंडमान और निकोबार द्वीप समूह, जण्डीगढ़, दादरा नगर हवेली सभी अधिष्ठापन दमन और दीव, लक्षद्वीप, पाण्डिचेरी और अरुणाचल प्रदेश, गोवा तथा मिजोरम राज्य।
2. कृषि मंत्रालय सभी अधिष्ठापन
3. रसायन एवं उर्वरक मंत्रालय सभी अधिष्ठापन
4. नागर विमानन एवं पर्यटन मंत्रालय सभी अधिष्ठापन
6. नगर आपूर्ति, उपभोक्ता मामले और सार्वजनिक वितरण मंत्रालय सभी अधिष्ठापन
6. कोयला मंत्रालय सभी अधिष्ठापन
7. वाणिज्य मंत्रालय सभी अधिष्ठापन
8. संचार मंत्रालय डाक एवं दूरसंचार विभाग को छोड़कर सभी अधिष्ठापन
9. रक्षा मंत्रालय मिलिट्री इंजीनियरी सेवा तथा अय्यारबेस फैक्ट्री को छोड़कर सभी अधिष्ठापन
10. पर्यावरण एवं वन मंत्रालय सभी अधिष्ठापन
11. विदेश मंत्रालय सभी अधिष्ठापन
12. विस्त मंत्रालय सभी अधिष्ठापन
13. खाद्य मंत्रालय सभी अधिष्ठापन
14. खाद्य प्रसंस्करण उद्योग मंत्रालय सभी अधिष्ठापन
15. स्वास्थ्य एवं परिवार कल्याण मंत्रालय सभी अधिष्ठापन
16. गृह मंत्रालय सभी अधिष्ठापन
17. मागव संसाधन विकास मंत्रालय सभी अधिष्ठापन
18. उद्योग मंत्रालय सभी अधिष्ठापन
19. सूचना एवं प्रसारण मंत्रालय सभी अधिष्ठापन

20. श्रम मंत्रालय	सभी अधिष्ठापन
21. विधि, न्याय एवं कंपनी कार्य मंत्रालय	सभी अधिष्ठापन
22. खान मंत्रालय	सभी अधिष्ठापन खान और तेल क्षेत्र को छोड़कर
23. अपारंपरिक ऊर्जा नोत मंत्रालय	सभी अधिष्ठापन
24. संसदीय कार्य मंत्रालय	सभी अधिष्ठापन
25. कार्मिक, लोक शिकायत और पेंशन मंत्रालय	सभी अधिष्ठापन
26. पेट्रोलियम और प्राकृतिक गैस मंत्रालय	खान और तेल क्षेत्र को छोड़कर सभी प्रातिष्ठान
27. योजना मंत्रालय	सभी अधिष्ठापन
28. विद्युत मंत्रालय	सभी अधिष्ठापन
29. कार्यक्रम त्रियान्वयन मंत्रालय	सभी अधिष्ठापन
30. ग्रामीण विकास मंत्रालय	सभी अधिष्ठापन
31. साइंस और टेक्नोलॉजी मंत्रालय	सभी अधिष्ठापन
32. स्टील मंत्रालय	सभी अधिष्ठापन
33. भूतल परिवहन मंत्रालय	सभी अधिष्ठापन
34. कपड़ा मंत्रालय	सभी अधिष्ठापन
35. शहरी विकास मंत्रालय	सभी अधिष्ठापन
36. जल संसाधन मंत्रालय	सभी अधिष्ठापन
37. कल्याण मंत्रालय	सभी अधिष्ठापन
38. परमाणु ऊर्जा विभाग	खानों को छोड़कर
39. विद्युत विभाग	सभी अधिष्ठापन
40. नागर विकास विभाग	सभी अधिष्ठापन
41. अंतरिक्ष विभाग	सभी अधिष्ठापन
42. मंत्रिमंडलीय सचिवालय	सभी अधिष्ठापन
43. राष्ट्रपति का सचिवालय	सभी अधिष्ठापन
44. प्रधानमंत्री कार्यालय	सभी अधिष्ठापन
45. अनुसूचित जाति और अनुसूचित जनजाति आयुक्त का कार्यालय	सभी अधिष्ठापन
46. केन्द्रीय सतकर्ता आयोग	सभी अधिष्ठापन
47. भारत का चुनाव आयोग	सभी अधिष्ठापन
48. सुप्रीम कोर्ट	सभी अधिष्ठापन
49. संघ लोक सेवा आयोग	सभी अधिष्ठापन

New Delhi, the 7th November, 1997

S.O. 2960.—In exercise of the powers conferred by sub-section (1) of section 36 of the Indian Electricity Act, 1910 (9 of 1910), the Central Government hereby appoints Shri A. M. Joshi, Chief Engineer (Electrical Inspectorate Division), Central Electricity Authority, New Delhi to be Electrical Inspector in respect of all installations belonging to or under the control of the Central Government and the Union territories as specified below, except for the low voltage installations which shall continue to be inspected by the respective suppliers of the electricity ;—

1. Union territories of the Andaman and Nicobar Islands ; Chandigarh; Dadra Nagar Haveli; Daman and Diu; Lakshadweep; Pondicherry and the States of Arunachal Pradesh, Goa and Mizoram.	All installations
2. Ministry of Agriculture	All installations
3. Ministry of Chemicals and Fertilizers	All installations
4. Ministry of Civil Aviation and Tourism	All Installations
5. Ministry of Civil Supplies, Consumer Affairs and Public Distribution	All installations
6. Ministry of Coal.	All installations
7. Ministry of Commerce	All installations
8. Ministry of Communications	All intallations except Post and Telecom- munications Department
9. Ministry of Defence	All installa tions except Military. Engineering Service and Ordinance Factories.
10. Ministry of Environment and Forests	All installations
11. Ministry of External Affairs	All installations
12. Ministry of Finance	All installations
13. Ministry of Food	All installations
14. Ministry of Food Processing Industries	All installations
15. Ministry of Health and Family Welfare	All installations
16. Ministry of Home Affairs	All installations
17. Ministry of Human Resources Development	All installations
18. Ministry of industry	All installations
19. Ministty of Information and Broadcasting	All installations
20. Ministry of Labour	All installations

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21. Ministry of Law, Justice and Company Affairs	All installations
22. Ministry of Mines	All installations except Mines and Oil Fields
23. Ministry of Non-Conventional Energy Sources	All installations
24. Ministry of Parliamentary Affairs	All installations
25. Ministry of Personnel, Public Grievances and Pension	All installations
26. Ministry of Petroleum and Natural Gas	All installations except Mines and Oil Fields.
27. Ministry of Planning	All installations
28. Ministry of Power	All installations
29. Ministry of Programme Implementation	All installations
30. Ministry of Rural Development	All installations
31. Ministry of Science and Technology	All installations
32. Ministry of Steel	All installations
33. Ministry of Surface Transport	All installations
34. Ministry of Textiles	All installations
35. Ministry of Urban Development	All installations
36. Ministry of Water Resources	All installations
37. Ministry of Welfare	All installations
38. Department of Atomic Energy	All installations except Mines
39. Department of Electronics	All installations
40. Department of Ocean Development	All installations
41. Department of Space	All installations
42. Cabinet Secretariat	All installations
43. President's Secretariat	All installations
44. Prime Minister's Office	All installations
45. Office of the Commissioner for Scheduled Castes and Scheduled Tribes	All installations
46. Central Vigilance Commission	All installations
47. Election Commission of India	All installations
48. Supreme Court	All installations
49. Union Public Service Commission	All installations

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श्रम विभाग

नई दिल्ली, 22 अक्टूबर, 1997

का.आ. 2961.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल रेलवे, झांसी के प्रबन्ध तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-10-97 को प्राप्त हुआ था।

[संख्या एल-41011/12/88-डी-2बी]

सनातन, डेस्क अधिकारी

## MINISTRY OF LABOUR

New Delhi, the 22nd October, 1997

S.O. 2961.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Railway, Jhansi and their workman, which was received by the Central Government on the 21-10-97.

[No. L-41011/12/88-D II. B]

SANATAN, Desk Officer

## ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL-CUM-LABOUR COURT PANDU NAGAR, DEOKI PALACE ROAD KANPUR

Industrial Dispute No. 65 of 1996  
Reference No. L-41011/12/88-D.II(B) dt. 19-7-89

In the matter of dispute between:  
Secretary, INTUC, U.P.  
2/36 Namneir Agra.

AND

Divisional Railway Manager  
Central Railway Jhansi.

## AWARD U/s. 33-A.

1. This is an application by Badruddin, Harish, Irshad and Aslam complaining that they have been dismissed from service during the pendency of I.D. No. 167 of 1989 and for acquiring temporary status as Monthly Rated Casual Labour against Central Railway Opposite Party. It appears that the concerned applicants, namely, Aslam Harish, Badruddin, Ram Khilari, Irshad, Bankey Behari Lal and Mahendra Singh, had raised I.D. No. 167 of 1989 for their claim for acquiring status of MRCL temporary. The case of the applicants is that during the pendency of this reference all of them were removed from service. However, Ram Khilari, Dashrath Bankey Behari and Mahendra Singh have been taken back in service. The remaining four workmen, the present applicants, have not been taken in service. By removing them from

service during the pendency of reference registered as I.D. No. 167 of 1989, the opposite party railway has changed the condition of service.

2. The opposite party railway have contested the case.

3. From the documents filed by the applicants it appears that in the year 1985, they had carried the matter before ALC(C) Delhi. Notice was ordered to be issued and it was during the pendency of conciliation proceedings that the applicants were removed from service. From the above narration of facts, it becomes clear that the applicant were removed much earlier to the registration of Industrial Dispute no. 167 of 1989. Hence, it is not correct to say that applicants were removed from service during the pendency of 167 of 1989. A bare perusal of section 33-A of I.D. Act would go to reveal that a workman can complain about breach of condition of service only when such charge is effected during the pendency of Industrial Dispute before the Tribunal. In the instant case such breach of condition by way of termination occurred much before registration of I.D. No. 167 of 1989. Obviously this application is not maintainable. Accordingly the application is rejected being not maintainable and the applicants are not entitled for any relief.

Dt. 3-10-1997.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 22 अक्टूबर, 1997

का.आ. 2962.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नोर्दन रेलवे, लखनऊ के प्रबन्ध तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-10-97 को प्राप्त हुआ था।

[संख्या एल-41012/5/90-आईआर(डी यू)]

सनातन, डेस्क अधिकारी

New Delhi, the 22nd October, 1997

S.O. 2962.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Railway Lucknow and their workman, which was received by the Central Government on the 21-10-97.

[No. L-41012/5/90-IR(DU)]

SANATAN, Desk Officer



## ANNEXURE

नई दिल्ली, 22 अक्टूबर, 1997

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL-CUM-LABOUR COURT PANDU NAGAR,

Industrial Dispute No. 251 of 1990

In the matter of dispute between:

Zonal working President

Northern Railway

Karmchari Union, 96/196 Roshan Bajaj Lane

Ganesh Ganj Lucknow.

AND

Divisional Railway Manager

Northern Railway

Lucknow.

## AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification no. L-41012/5/90-IR(DU) dated 24-10-90, has referred the following dispute for adjudication to this Tribunal —

Whether the DRM Northern Railway is justified in not promoting Sri Sita Ram Electric Pump Driver Fazalganj Kanpur as highly skilled Grade II w.e.f. 1-1-84? If not to what relief he is entitled to?

2. In his claim statement concerned workman Sitaram has alleged that the opposite party railway has not promoted him in Grade II Oil Engine Driver whereas juniors to him Abdul, Suhan, Ram Dutt Moti Lal and Jangali Prasad have been promoted w.e.f. 1-1-84. His trade test was taken on 21-3-86, still he has not been promoted and no result has been declared. He is entitled for promotion w.e.f. 1-1-84 when juniors to him were promoted.

3. No doubt the opposite party has filed written statement but nothing has been said about the result of trade test. Only technical objection like the claim petition is not maintainable has been taken.

4. In my opinion, the concerned workman is not entitled for any relief on its own showing. Perhaps he has sought promotion because juniors to him been promoted on the principle of NEXT BELOW RULE, I am afraid this rule is not applicable in the case of promotion. Further promotion is accorded only when a certain workman of category clears trade test for higher category. It is the own case of the concerned workman that so far he has cleared the trade test although trade test was taken. Simply because result has not been declared it would not entitled the concerned workman for automatic promotion.

5. In the end my award is that as the concerned workman so far has not cleared the test the concerned workman is not entitled for promotion as Electric Pump/Driver w.e.f. 1-1-84. However, I would direct the railway to declare the result of trade test if it had actually taken place on 21-3-84.

Dated : 3-10-1997.

B. K. SRIVASTAVA, Presiding Officer

का.आ. 2963-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नोर्दन रेलवे, लखनऊ के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-10-97 को प्राप्त हुआ था।

[संख्या एल-41012/5/91-आईआर (डी यू)]

सनातन, डेस्क अधिकारी

New Delhi, the 22nd October, 1997

S.O. 2963.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Railway, Lucknow and their workman, which was received by the Central Government on the 21-10-97.

[No. L-41012/5/91-IR(D.U.)]

SANATAN, Desk Officer

## ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR.

Industrial Dispute No. 154 of 1991.

In the matter of dispute :

BETWEEN :

Zonal Working President,

Uttar Railway Karamchari Union,

96/196 Roshan Bajaj Lane Ganeshganj, Lucknow.

AND

Dy. Chief Electrical Engineer (W), Northern Railway, Lucknow.

APPEARANCE :

D. P. Awasthi for the Union and

Hamid Quereshi, for the Railway, opposite party.

## AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its Notification No. 41012/5/91-I. R. D. U., dated 25-9-1991 has referred the following dispute for adjudication to this Tribunal :—

“Whether Dy. CEE(W) Northern Railway Lucknow was justified in removing Shri Udai Singh Mason under SS/CPH Lucknow w.e.f. 10-12-1983? If not, what relief the workman was entitled to?”

2. The concerned workman Uday Singh was working as SS Mason under CPH shop Suptd. Lucknow of the opposite party Northern Railway. He was issued a charge-sheet dated 30-9-1981 by the Dy. Chief Electrical Engineer which runs as under :—

#### CHARGE NO. 1 :

That said Shri Uday Narain T. No. 62/CPH SS/Messon while functioning Masson under principal formen CPH Lucknow at about 12/15 hrs. on 24-9-1981 entered in the room of foreman alongwith Shri S. K. Sen T. No. 53/CPH and started throwing papers and files which were kept over the table in presence of Shri Virendra Kumar Sr. Clerk CPH Lucknow and Shri K. K. Saxena T. No. 143/CPH Shri Uday Singh T. No. 62/CPH was looked over drunk and was also abusing Shri M. N. Pandey MAEE (I)/Lucknow.

#### CHARGE NO. 2 :

That said Shri Uday Singh T. No. 62/CPH SS Masson after creating trouble in CPH/LKO entered DT-CEE's office at 12.45 hrs. on 24-9-1981 and was intoxicated abusing loudly using filthy language for officers and staff and thereafter he entered in the chamber of Dy. CEE's also. The RPF man from the gate were called and they led him away to RPF Post Loco/CS.

One R. C. Awasthi an officer of the management was appointed enquiry officer. He submitted his report after completing enquiry on 16-9-1980 holding that charge of remaining in intoxication was not proved while other acts of misconduct were proved. On the basis of this enquiry report disciplinary authority had ordered for dismissal of the concerned workman vide order dated 10-12-1987. Feeling aggrieved he has raised the instant industrial dispute.

3. In the claim statement it was denied that the enquiry was not fairly and properly held. It was also alleged that the concerned workman had actually committed the above misconduct. On the pleadings of the parties a preliminary issue regarding fairness and propriety of domestic enquiry was framed. Vide finding dated 16-7-1997 it was held that enquiry was fair and proper. Thereafter, the case was fixed for deciding the question of quantum of punishment.

4. I have heard both sides on the question of punishment. I am of the opinion that the misconduct committed by the concerned workman was grave one and it requires different punishment so that other may be afraid of committing such misconduct.

5. In view of this I come to the conclusion that dismissal from service was justified. Consequently, the concerned workman is not entitled for any relief.

**B. K. SRIVASTAVA, Presiding Officer.**

नई दिल्ली, 22 अक्टूबर, 1997

का.आ. 2964.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नोर्दन रेलवे, इलाहाबाद के प्रबन्ध तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर, के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-10-97 को प्राप्त हुआ था।

[संख्या एल-41012/23/95-आईआर (बी)]  
सनातन, डेस्क अधिकारी

New Delhi, the 22nd October, 1997

S.O. 2964.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Railway, Allahabad and their workman, which was received by the Central Government on 21-10-1997.

(No. L-41012/23/95-IR (B))  
SANATAN, Desk Officer.

#### ANNEXURE

**BEFORE SHRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, DEOKI PALACE ROAD, PANDU NAGAR, KANPUR.**

Industrial Dispute No. 45 of 1996.

In the matter of dispute,

**BETWEEN :**

Zonal Working President,  
Northern Railway Karamchari Union,  
96/195 Roshan Bajaj Lane,  
Ganesh Ganj, Lucknow.

**AND**

Divisional Railway Manager,  
Northern Railway,  
Allahabad.

**APPEARANCE :**

Shri Hamid Quraishy for the Management.

Shri D. N. Tiwari for the Workman.

#### AWARD

1. Central Government Ministry of Labour, New Delhi vide its Notification No. L-41012/23/95-IR (B), dated 29-3-1996 has referred the following dispute for adjudication to this Tribunal :

"Whether the management of Northern Railway is just in refusing regularisation of employment of Shri Shiv Sagar S/o. Shri Ghagwan Das as a regular fitter in the

open line at present employed as ad-hoc fitter under C.T.F.O. (Construction) of the management? If not, to what relief the worker concerned is entitled to?"

2. The concerned workman Shiv Sagar in his claim statement has alleged that he was as Electric Khalasi on 21-11-1980. He was given temporary status w.e.f. 1-1-1984 in the grade of 196—232. Work of Electric Fitter is being taken from him w.e.f. 15-9-1984 and he has also been promoted in the pay scale of 950—1500 by order dated 1-1-1987 as T. S. Fitter. Since he had continuously worked as Electric Fitter from 15-9-1984 he is entitled for regularisation as Fitter w.e.f. 15-9-1984.

3. The opposite party has filed reply in which it has been alleged that he was engaged as casual Fitter by way of local temporary arrangement. It is denied that work was taken continuously w.e.f. 15-9-1984.

4. In the rejoinder nothing new has been said.

5. The only point which needs consideration is as to whether the concerned workman had worked as Electric Fitter from 15-9-1984 continuously. On this point there is oral evidence of the concerned workman. Beside there is Ext.-W-2 promotion letter dated 8-5-1989 which shows that concerned workman has been promoted and his name appear at Sl. No. 44. Ext.-W-3 is the medical report dated 12-9-1996. And Ext.-W-4 is the wage Slip of 1996. None of these paper help the case of the concerned workman. There is only bald statement of the concerned workman. In my opinion it is not enough to prove that the concerned workman had worked as electric fitter w.e.f. 15-9-1984. Hence he is not entitled for regularisation from this date for want of proof. I award accordingly.

**B. K. SRIVASTAVA, Presiding Officer.**

नई दिल्ली, 22 अक्टूबर, 1997

का.प्रा. 2965.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नोर्थन ईस्ट रेलवे, लखनऊ के प्रबन्ध तंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर, के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-10-97 को प्राप्त हुआ था।

[संख्या एल-41012/152/96-आई आर(बी)]  
सनातन, डेस्क अधिकारी

New Delhi, the 22nd October, 1997

S.O. 2965.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute 2883 GI/97—16

between the employers in relation to the management of North East Railway, Lucknow and their workman, which was received by the Central Government on 20-10-1997.

[No. L-41012/152/96-IR (B)]  
SANATAN, Desk Officer.

#### ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, DEOKI PALACE ROAD, PANDU NGARA, KANPUR.

Industrial Dispute No. 67 of 1997.

In the matter of dispute,

BETWEEN :

Rajender Singh,  
Substitute Railway Quarter No. 59-M  
Loco Colony Maviya,  
Lucknow.

AND

Divisional Railway Manager (P),  
North East Railway,  
Ashok Road, Lucknow.

#### AWARD

1. Central Government Ministry of Labour New Delhi vide its Notification No. L-41012/152/96-I.R. (B), dated 25-4-1997 has referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of North Eastern Railway, Lucknow not to utilize the services of Shri Rajendra Singh substitute only as couplong khalasi is legal and justified? Whether he is entitled to get the regular scale of wages irrespective of nature of duration of vacancy? If so he is entitled to what benefits?"

2. It is unnecessary to give the details of case as after sufficient service the concerned workman has not filed the claim statement. Hence the reference is answered against the workman for want of prosecution and proof and he is not entitled for any relief.

**B. K. SRIVASTAVA, Presiding Officer.**

नई दिल्ली, 23 अक्टूबर, 1997

का.प्रा. 2966—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सदर्न रेलवे, मद्रास, के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, तमिलनाडु, मद्रास, के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-10-97 को प्राप्त हुआ था।

[संख्या एल-41012/13/93-आई आर(बीयू)]  
सनातन डेस्क अधिकारी]

New Delhi, the 23rd October, 1997

S.O. 2966.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Tamil Nadu, Madras as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Southern Railway, Madras and their workman, which was received by the Central Government on 22-10-1997.

[No L-41012/13/93-IR (DU)]  
SANATAN, Desk Officer

#### ANNEXURE

#### BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU MADRAS

Tuesday, the 30th day of September, 1997

#### PRESENT :

Thiru S. Ashok Kumar, M.Sc., B.L., Industrial Tribunal,  
Industrial Dispute No. 174 of 1994

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the Workman and the Management of Southern Railway, Madras)

#### BETWEEN

Shri R. Paranthaman,  
T. No 1479, 39, Barracks Road,  
Sivagamipuram, Madras-600012.

#### AND

The General Manager,  
Southern Railway,  
Park Town, Madras-600003.

2. The Assistant Mechanical Engineer,  
Southern Railway, Basin Bridge Yard,  
Madras-600003.

#### REFERENCE :

Order No. L-41012/13/93-IR (DU), Ministry of Labour,  
dated — Government of India, New Delhi.

This dispute coming on for final hearing on Tuesday, the 16th day of September, 1997, upon perusing the claim, counter statement and all other material papers on record, and upon hearing the arguments of Tvl. R. Devaprasad and R. Jinan, Advocates appearing for the petitioner and of Thiru M. Munir Sheriff, Advocate appearing for the respondent, and this dispute having stood over till this day, for consideration, this Tribunal made the following

#### AWARD

This reference has been made for adjudication of the following issue :

"Whether the action of the management of Southern Railway Madras, in terminating the services of Shri R. Paranthaman, Ex-Khalasi, Token No. 1479, AME/ C MRS w.e.f. 10-4-90 is justified? If not, to what relief he is entitled to?"

2. The main averments found in the claim statement filed by the petitioner are as follows :

The petitioner was appointed on 12-7-1973 as CL on RS and was made permanent in 1978 as Khalasi. He was working as Khalasi in the Assistant Mechanical Engineer, Carriage Maintenance, Basin Bridge Yard, Southern Railway, Madras-3. During May 1988 he fell ill and hence he could not attend to his duty nor send any leave letter to the respondent. From 7-5-88 till 28-5-90, he was undergoing treatment for effective disorder under Doctor S. P. Muru-

gappa, Register Medical Practitioner. After becoming medically fit to join duty, the petitioner presented himself on 29-5-90 before the second respondent, and reported for duty. The Head of the Department asked the petitioner to submit himself before the Railway hospital to confirm fitness. Thereafter he issued necessary forwarding letter to the Railway hospital. The petitioner has submitted himself for medical examination and after thorough examination, the Assistant Divisional Medical Officer, Railway Hospital issued a fitness certificate dated 31-5-90 to attend to his duties on 1-6-90. On 1-6-90 the petitioner approached second respondent to join duty. But the petitioner was refused permission and was asked to write a letter to the Additional Divisional Railway Manager as an appeal against the oral termination. Immediately the petitioner sent a letter to the Additional Divisional Railway Manager. Since there was no reply, a legal notice dated 1-3-91 was sent to the respondent. Even thereafter there was no reply. The petitioner was not served with charge memo or called for any enquiry before the alleged oral termination was passed against the petitioner. Till 7-5-88 the petitioner was rendering an impeccable diligent service without blemish. The alleged order of termination is violative of principles of natural justice, illegal, unjustified, and excessive punishment. The permanent railway employee can avail leave for a period of five years. The respondents before taking necessary steps dispensed with the services of the petitioner and also after termination of service are duty bound to make a newspaper publication in any local daily regarding their decision. The act of the respondents in terminating the service of the petitioner invoking Rule 14(ii) of Railway Servants (D and A) Rules, 1968 is against the principles of natural justice and termination of the service of the petitioner without making any publication is void ab initio. Two other railway employees Sri Durai and Sri Susai, both Khalasi, who had absented for 6 to 9 years were reinstated by the respondents. The petitioner filed a petition before Assistant Labour Commissioner (Central-I), Madras for conciliation and the respondents filed their objections and alleged that a major penalty was imposed on the petitioner for his absence and his service was terminated w.e.f. 10-4-90. As the conciliation did not materialise, the Assistant Labour Commissioner (Central-I), has sent the failure report to the Government of India, Ministry of Labour, hence this reference has been made. The petitioner is without employment for the past several years and he is the only bread winner of his family. Due to illegal and arbitrary termination of the petitioner the petitioner and his family are suffering without minimum basic necessity of the life. The petitioner prays an award may be passed holding termination of the petitioner from service is not justified and consequently reinstate him in service with all benefits, continuity of service and attendant benefits.

3. The main averments found in the counter filed by the respondent management are as follows :

The averments of the petitioner are denied except the fact that the petitioner was working as Khalasi and he remained absent from duty from 7-5-88 to 13-5-88 and from 15-5-88 to 22-8-89 without proper authority or following the Railway Medical Attendance Rules. He had failed to intimate the Administration during his long spell of absence either in person or through a letter or send the private medical certificate as claimed. An employee is expected to get prior sanction of leave and cannot abstain himself from duty. If he is sick he has to report to the nearest Railway Hospital. A charge sheet for imposing major penalty was initiated on 22-8-89, and the same was sent to the petitioner's last known address by RPA and the same was returned undelivered. It was also displayed on notice board provided at the work spot and the same evoked no response. The respondent's efforts to serve the charge sheet had failed and the Administration invoked Rule 14(ii) of Railway Servants (Discipline and Appeal) Rules 1968 since there was no possibility

of holding an enquiry. The petitioner was removed from service with effect from 10-4-90 vide penalty advice 12/M 125/DAR/89 dated 30-3-90. The petitioner submitted his appeal to the Additional Divisional Railway Manager on 1-6-90 against his removal and the same proves that the petitioner was aware of his removal from service. The Appellate Authority viz., the Additional Divisional Railway Manager upheld the penalty awarded by the Disciplinary Authority. The respondent passed the orders of the Appellate Authority at the workplace of the petitioner since the petitioner had not furnished his proper address for communication. Petitioner was removed from service according to the rules and there is no question of oral termination or violation of principles of natural justice. The permanent employees of railway are eligible for 5 years leave as per Note 3 of Rule 530 of the Indian Railway Establishment Code Vol. I but Rule 502 provides that leave of any kind cannot be claimed as a matter of right and such leave can also be refused or revoked by the authority competent to grant it. The petitioner should have abstained from duty only after the leave applied by him is sanctioned by the competent authority. Regarding the newspaper publication, for the purpose of disciplinary matters, the railway servants are governed by the Railway Servants (Disciplinary and Appeal) Rules 1968. According to the clarification to Rule 12 of the Railway Servants (Disciplinary and Appeal) Rules 1968, in the case the Railway Servant is not present in office, the order/notice should be communicated to him at his last known address by registered post acknowledgement due. "If the railway servant does not accept the order/notice, and the same is returned undelivered by the postal authorities with the endorsement as "addressee not found" "refused to accept" etc., the same should be pasted on the notice board of the Railway premises in the employee concerned was working last as well as in a place in the last noted local address of that employee. The order/notice should be deemed to have come into effect from the date of issue thereof unless it specifies any subsequent date from which it has to take effect." Thus, the rules do not provide for publication of the removal order in local daily. The order/notice was pasted by the respondent on the notice board and the same was to the petitioner's last known address and the same is in consonance with the prescribed procedures. In the absence of specific details the averment regarding the cases of Soorai Durai could not be spell out. Disciplinary cases are dealt according to merits of each case. The averments are not tenable. The respondent prays to dismiss the claim with costs.

4. The petitioner has examined himself as WW-1 and has marked Ex. W-1 to W-10. No witness was examined on the side of the respondent and no document has been filed.

5. The only point for our consideration is : Whether the termination of the petitioner is justified ? If not, to what relief the petitioner is entitled to ?

6. The Point—The petitioner Paranthaman was employed as CL on RS on 12-7-73 and was made permanent as Khalasi in 1978. The respondent do not dispute the appointment and status of the petitioner. According to petitioner he fell ill during 1988 and therefore he could not attend to his duty from 7-5-88 to 28-5-90 and could not send any leave letter to the respondents. The petitioner was undergoing treatment for affective disorder under one doctor S. Murugappan, a registered medical practitioner to join duty on 28-5-91 and thereafter the petitioner presented himself on 29-5-90 before the second respondent for duty. The second respondent asked the petitioner to submit himself before the Railway Hospital for finding whether he is medically fit. The Additional Divisional Medical Officer, Railway Hospital who examined the petitioner issued a fitness certificate dated 31-5-90. Thereafter when the petitioner approached the second respondent on 1-6-90 to join duty, permission was refused to him. The petitioner filed an appeal before Additional Divisional Railway Manager on 1-6-90

and also issued legal notice on 1-3-91. Since there was no reply from the respondents, the petitioner filed an appeal before Assistant Labour Commissioner, Madras for conciliation. The medical fitness certificate to return to duty produced by the petitioner is Ex. W-1. Medical certificate for leave as Ex. W-2. The fitness certificate issued by the Railway Hospital is W-3 and W-4. The appeal filed by the petitioner on 1-6-1990 is Ex. W-5. The lawyer's notice issued by the petitioner is Ex. W-6. The application filed by the petitioner before the Assistant Labour Commissioner Madras is Ex. W-9. The remarks filed by the Divisional Railway Manager before the Conciliation Officer is Ex. W-7. The rejoinder statement filed by the petitioner before the Conciliation Officer is Ex. W-8. Conciliation failure report is Ex. W-10.

7. The petitioner contends that he was affected by a disease called affective disorder and hence he did not report for duty for 751 days and also did not send any leave letter. The petitioner however contends that he has been dismissed from service without any enquiry and also without any paper publication. The contention of the respondent is that the petitioner has absented himself for duty for a long period and charge was framed and notice was sent to his last known address which was returned undelivered and therefore was pasted in the Railway notice board and since the petitioner absented himself for the enquiry also, order was passed terminating the services of the petitioner as per Rule 14(ii) of Railway Servants (D and A) Rules, 1968. The petitioner has not produced any document to prove his illness except Ex. W-2 which is a medical certificate issued by private medical practitioner. The very same medical practitioner has also issued Ex. W-1 medical fitness certificate. The petitioner who was absent for 751 days has not produced any document to prove the treatment or any bill for purchase of any medicine. Railway Hospital at Paramburi, Madras is a famous hospital where there are efficient doctors and facilities. The petitioner is entitled for free and better treatment in the railway hospital. There is no explanation on the part of the petitioner why he preferred private medical practitioner than railway hospital. As already stated, the petitioner has not produced any document except a certificate issued by the private medical practitioner to prove that the petitioner was continuously ill for more than 2 years, and was under continuous treatment. Further, the petitioner has never notified the respondents i.e. his employers about his illness and has never applied for any leave. It is not the first occasion in which the petitioner was absent for a very long period without sending any leave letter. In the cross-examination the petitioner himself had admitted that on an earlier occasion also the petitioner absented himself for a long time without leave letter and later he was reinstated in service. Thus, we see that the petitioner absented himself for the second time for a very long period without sending any leave letter. There is no dispute that the enquiry notice sent to his last known address was also returned undelivered. That will show that the petitioner did not come even to notify his change of residence to his employer. After the attempt to serve the notice to the petitioner failed, he respondent pasted the notice on the railway board, and afterwards terminated the petitioner from service.

8. The petitioner contends that the respondents should have made paper publication before passing termination of service order and also after passing of termination order. There is no necessity to give paper publication before passing the order and after passing the termination order. The respondents have followed Rule 14(ii) of the Railway Servants (D and A) Rules, 1968 which is applicable to the petitioner also. There is no motive for the respondents as against this petitioner to act unfairly and also against principles of natural justice. It is the petitioner who himself absented for a very long period without applying for leave. In the above circumstances, the action of the respondent in terminating the services of the petitioner is justifiable. From the foregoing discussions, it is clear that the action of the management of Southern Railway in terminating the services of Shri R. Paranthaman, Ex. Khalasi w.c.f. 10-4-90 is justified.

In the result, award passed dismissing the claim of the petitioner. No costs.

Dated, this the 30th day of September, 1997.

THIRU S. ASHOK KUMAR, Industrial Tribunal

#### WITNESSES EXAMINED

For Workman :

WW-1—Thiru R. Parathanan.

For Management :

None.

#### DOCUMENTS MARKED

For Petitioner/workman :

Ex. W-1/25-5-90—Medical certificate issued to petitioner by private medical practitioner (Xerox copy).

Ex. W-2/28-5-90—Fitness certificate issued to petitioner by private medical practitioner (Xerox copy).

Ex. W-3/29-5-90—OPD Slip of Railway Hospital issued to petitioner (Xerox copy).

Ex. W-4/31-5-90—Fitness certificate -do-

Ex. W-5/1-6-90—Letter from petitioner to respondent for reinstatement (Xerox copy).

Ex. W-6/1-3-91—Lawyer's notice issued by petitioner to respondent (Xerox copy).

Ex. W-7/4-10-91—Reply of respondent to petitioner (Xerox copy).

Ex. W-8/2-3-92—Rejoinder of petitioner (Xerox copy).

Ex. W-9/12-4-91—Conciliation application (Xerox copy).

Ex. W-10/23-1-93—Conciliation failure report (Xerox copy).

For Management :

NIL.

नई दिल्ली, 24 अक्टूबर, 1997

का.आ. 2967 औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पश्चिम रेलवे अजमेर के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, अजमेर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-10-97 को प्राप्त हुआ था।

[संख्या एस-41012/276/95-आई प्रार (बी)]

सनातन, डेस्क अधिकारी

New Delhi, the 24th October, 1997

S.O. 2967.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Ajmer as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Western Railway, Ajmer and their workman, which was received by the Central Government on 23-10-97.

[No. L-41012/276/95-I.R.(B)]

SANATAN, Desk Officer

अनुबंध

न्यायालय, श्रम न्यायालय एवं औद्योगिक न्यायाधिकरण, अजमेर

रेफरेंस संख्या 41012/276/95/आई प्रार (बी) दिनांक

4-3-97 केस नम्बर सी आई टी प्रार 4/97

सत्यनारायण अग्रवाल द्वारा अग्रवाल जनरल स्टोर, रेलवे स्टेशन के पास, नसीराबाद अजमेर

—प्रार्थी

बनाम

मण्डल कार्मिक अधिकारी, पश्चिम रेलवे अजमेर

—अप्रार्थी

समक्ष

श्री हरिसिंह अस्नानी प्रार एच जे एस पीठासीन अधिकारी प्रार्थी की ओर से — श्री एस०ए० सलीमी एडवोकेट अप्रार्थी की ओर से — श्री वी०डी० भार्गव एडवोकेट अवार्ड दिनांक 07-10-1997

अवार्ड

प्रार्थी की ओर से श्री एस०ए० सलीमी ने उपस्थित होकर जाहिर किया है कि उन्हें प्रार्थी की ओर से साक्ष्य हेतु उपस्थित न होने के बारे में जानकारी नहीं है। केन्द्र सरकार द्वारा यह विवाद इस अपेक्षा के साथ भिजवाया गया है कि विवाद का अधिनिर्णय तीन महीने में किया गया। प्रार्थी अपने प्रकरण के प्रति गंभीर नहीं है ऐसा प्रतीत होता है। अप्रार्थी पक्ष को सुना गया। प्रकरण की उपरोक्त परिस्थितियों को मध्य नजर रखते हुए प्रकरण को आगे बिना वजह चलाया जाना उचित नहीं समझा जाता है। अतः "कोई विवाद नहीं" अवार्ड पारित किया जाता है।

अवार्ड की प्रति नियमानुसार केन्द्र सरकार को वास्ते प्रकाशनार्थ भेजा जावे।

अवार्ड खुले न्यायाधिकरण में सुनाया गया।

हरि सिंह अस्नानी, पीठासीन अधिकारी

नई दिल्ली, 27 अक्टूबर, 1997

का०आ० 2968—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन इंस्टिट्यूट ऑफ स्पाईसेस रिसर्च, कालीकर के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, कोजिकोडे के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-10-97 को प्राप्त हुआ था।

[सं०एल-42012/27/96-आई प्रार (डीयू)]

के०वी०बी० उण्णो, डेस्क अधिकारी

New Delhi, the 27th October, 1997

S.O. 2968.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Kozhikode as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Institute of Spices Research, Calicut and their workman, which was received by the Central Government on 27-10-97.

[No. L-42012/27/96-IR(DU)]

K. V. B. UNNY, Desk Officer

## ANNEXURE

New Delhi, the 28th October, 1997

## IN THE LABOUR COURT, KOZHIKODE, KERALA STATE

Dated, this the 26th day of August, 1997

## PRESENT :

Shri P. Q. Barkath Ali, B.Sc., LL.B., Presiding Officer  
I.D. No. (C) No. 24/97

## BETWEEN :

The Director,  
Indian Institute of Spices Research,  
Chelavoor, Calicut-12.

2. The Farm Superintendent,  
Indian Institute of Spices Research,  
Peruvannamuzhy, Qulandy Taluk,  
Calicut-673 528. .. Managements.

## AND

Sri Padmajan A.,  
Adivati House,  
Edavarad Post,  
Perambra (Via),  
Calicut. .. Workman.

## AWARD

This is an industrial dispute between the management of M/s. Indian Institute of spices Research, Calicut and its workman Sri A. Padmajan referred to this court for adjudication by G.O. No. L-42012/27/96-IR(DU) dated July, 9, 1997 of Government of India, Ministry of Labour.

2. The issue referred for adjudication is "whether the action of the management of Indian Institute of Spices Research, Peruvannamuzhy, Calicut in terminating the services of Sri Padmajan A. from 26-8-1995 is justified? If not, to what relief the workman is entitled to".

3. In pursuance to the notice issued the management entered appearance. The worker remained absent and was set exparte. It follows the worker has abandoned his claim. Therefore, an award has to be passed rejecting the claim of the workman.

4. In the result, an award is passed rejecting the claim of the workman.

Dictated to the Confidential Assistant, transcribed by him, revised, corrected and passed by me on the 26th day of August, 1997.

P. Q. BARKATH ALI, Presiding Officer

नई दिल्ली, 28 अक्टूबर, 1997

कां.प्र.० 2969.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सहायक अभियंता, माइक्रोवेव मेंटेनेन्स, डिपार्टमेंट ऑफ टेलीकॉम कोपरी थाने के प्रबंध के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं 2 मुम्बई के पंचाट को प्रकाशित कती है, जो केन्द्रीय सरकार की 28-0-97 को प्राप्त हुआ था।

[सं० एल-40012/18/94 आई आर (डीयू)]  
के०बी०बी० उष्णी, डेस्क अधिकारी

S.O. 2969.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, No. 2, Mumbai as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Asst. Engineer, Microwave Maintenance, D/o. Telecom, Kopri Thane, and their workman, which was received by the Central Government on 28-10-97.

[No. L-40012/18/94-IR(DU)]  
K. V. B. UNNY, Desk Officer

## ANNEXURE

## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. II, MUMBAI

## PRESENT :

Shri S. B. Panse, Presiding Officer

Reference No. CGIT-2/8 of 1996

Employers in relation to the Management of Microwave Maintenance.

## AND

Their Workmen

## APPEARANCES :

For the Employer—Mr. Rohin Pandya, Advocate.

For the Workmen—Mr. S. P. Kulkarni, Advocate.  
Mumbai, dated 22nd September, 1997

## AWARD

The Government of India Ministry of Labour by its Order No. L-400012/18/94-IR(DU), dated 16-1-96, had referred to the following Industrial Dispute for adjudication :

"Whether the action of the management of Asstt. Engineer, Microwave Maintenance Deptt of Telecom, Microwave Building, Kopri Thane in terminating the services of Shri Lalchand Kachru Pandit is legal and justified. If not, to what relief the workman is entitled to?"

2. Lalchand Kachru Pandit filed a statement of Claim at Exhibit-3. He was appointed as a casual labour by Asstt. Engineer Microwave Maintenance Deptt of Telecommunication, Thane on 1-10-84. He was employed at Igatpuri outpost Microwave repeater centre. It is pleaded that he continued to work till 11-8-89. On that date he was terminated without giving any notice, notice pay or retrenchment compensation. It is averred that there was no compliance of section 25F of the Industrial Disputes Act, 1947 (herein after Act) by the management. The worker approached the management on several occasions for reinstatement but it was of no use. He thereafter issued a legal notice. On its non compliance he approached the Assistant Labour Commissioner raising the dispute. The conciliation could not take place. The Assistant Labour Commissioner refused to make a reference contending that the worker has not put in 240 days of service in 12 months prior to his alleged disengagement on 11-8-89. As such he is not eligible for any compensation under the provision of the Industrial Disputes Act.

3. The worker pleaded that thereafter he filed a petition before the Central Administrative Tribunal and got direction to the Central Government which is an appropriate government to make a reference. On the direction of the Central Administrative Tribunal the present reference is made. The workman pleaded that the retrenchment is illegal. It is submitted that the termination was on flimsy ground of misconduct without holding a departmental inquiry. It is denied that he was gainfully employed by the railways. It is pleaded that he had to give that letter to manage-

ment to that effect as he was assured job thereafter. It is submitted that for all these reasons he may be reinstated from the date of termination in continuity alongwith the back wages and consequential relief.

4. The management resisted the claim by their written statement Exhibit-6. It is averred that the telecommunication is not an industry within the meaning of section 2(j) of the Act and the Tribunal has no jurisdiction to decide the matter. It is averred that the workman was engaged as purely a casual labourer when the work was available between the period 1-10-84 to 31-5-86. Thereafter he stopped reporting to work as he joined the services of Railway.

5. The management pleaded that again he was employed on 11-89 purely on casual/ad-hoc basis for miscellaneous work and in leave period of a permanent staff. As the permanent staff resumed the duty he could not be continued. He was engaged for only 176 days. It is averred that the workman had a criminal back ground. For all these reasons the provision of the Act for retrenchment are not applicable to the worker. It is prayed that under such circumstances the reference may be answered accordingly.

6. The worker filed a rejoinder at Exhibit-7. He reiterated his claim in his statement of claim and denied the contention taken by the management in the Written statement.

7. The issues are framed at Exhibit-32. The issues and my findings there on are as follows :

Issues	Findings.
1. Whether the Tribunal has jurisdiction to decide the matter	Yes.
2. Whether the action of the management of Assistant Engineer, Microwave Maintenance, Department of Telecom, Microwave Building Kopri, Thane in terminating the the services of Lalchand Kechru Pandit is legal and justified	Yes.
If not, to what relief the workman is entitled.	Does not survive

### REASONS

8. The issue of jurisdiction has to be seen by the Tribunal. It is not necessary that the adverse party should raise the issue then only the Tribunal can embark upon it. It is general contention that in view of the case, Sub-Divisional Inspector of Posts Vs. The Josphc 1996 II Supreme 487, the telecommunication is not an industry and this Tribunal

9. In Joseph's case Their Lordships observed "India is a sovereign socialist secular democratic republic has to establish an egalitarian social order under rule of law. The welfare measures pertain the character of sovereign functions and the traditional duty to maintain law and order is no longer the concept of the state. Directive principles of state policy enjoin the state diverse duties under IV of the constitution and performances of the duties are constitutional functions. One of the duties is of the state, to provide telecommunication services to the general public as an amenity and so the essential part of sovereign functions of the state, as welfare state, it is not therefore an industry."

10. The Learned advocate for the workman placed reliance on various authorities and tried to submit that Mahanagar Telephone Nigam Limited is an industry. According to him in State of Bombay and Ors. Vs. Hospital Mazdoor Sabha and Ors. 1960 I LLJ 251 it is observed it is the character of the activity which decides the question as to whether the activity in question attracts the provisions of 2(j) of the Act. It is further observed who conducts the activity and whether it is conducted for profit or do not make a material difference. Their Lordships also referred to Schedule I to the Act which innumerate Industries which may be declared as public utility service under section 2(N) of the Act.

11. In Corporation City Nagpur and its employees 1960 I LLJ 523 Their Lordships considered the scope of the definition industry. It is observed that however wide the definition of industry might be it could not include the legal or

sovereign function of the state viz. the primary and inalienable functions of a constitutional government which should be confined to administration of justice, maintenance of law and other legislative functions.

12. In the management of Safdarjung Hospital and Kuldeep Singh Sethi 1970 II LLJ, Their Lordships while considering whether Hospital run by government or a local authority or by charitable institutions not as economic activity as an industry held that they are not governed by the definition of industry in section 2(j) of the Act. In paragraph 14 and 15, Their Lordships discussed the point regarding material services. It is observed that material services are not services which depend wholly or largely upon the contribution of professional knowledge, skill or dexterity for the production of the result. Such a service given individually and by individual are services no doubt but not material services. These services involve inactivity carried on through cooperation between employers and employee to provide a community with a use of something such as electric power, water, transportation, mail delivery, telephones and the like.

13. Then comes the Bangalore Water Supply and Sewerage Board etc. and A. Rajappa & Ors. 1978 I LLJ 349 The Constitutional Bench of Seven Judges discussed various aspects namely what is industry and laid down different tests for coming to conclusion where a particular activity is an industry or not. The Learned advocate for the workman more particularly placed reliance on paragraph 46 and 47 of the judgment. He also referred to paragraph 131 of the Judgment. It is observed therein that what is the dominant nature of test. It is stated that sovereign functions strictly understood alone qualified for exception not the welfare activities or economic adventures undertaken by Government or statutory bodies.

14. In Dahir Gram Panchayat and Shri Brahad Saurashtra Safai Kamgar Mandal Rajkot 1971 I LLJ 508 wherein it is held that the conservancy and the sanitary activity carried on by panchayat would be covered by the definition of the word industry. Such activity being material service and a public utility service, the workers are the workman as defined in section 2(j) of the Act.

15. In another case between Umunyanam and State of Kerala 1983 I LLJ 267 Their Lordships have given a test for determining which establishments in an industry are an industry or not. The Reference was regarding clerk, typists, Khalasis. While deciding it Their Lordships observed sovereign functions strictly understood alone qualify for exemptions not the other activities or economic adventure taken by Government or statutory bodies. In another case Bijoy Kumar Bhattachi & Ors. Vs. State of Bihar I LLJ 214 Their Lordships observed that the mere fact that there is a service code does not amount be necessary implication to the exclusion of the provision of the Industrial Disputes Act to Government department. If there were rules, for instance specially dealing with the manner in which temporary appointments could be terminated it could legitimately be argued that section 25F is excluded. For them the rules framed under the Constitutional provisions would have precedence over the Act. It is not possible to accept the contention that the provisions of the Act do not apply to Government servants.

16. In Union of Indit Vs. Presiding Officer Vs. Central Government Industrial Tribunal, Jabalpur, FGR 1994 page 231 Their Lordships observed that the Central Ordnance department is a severable unit of the defence department of the Central Government and carried of systematic activity with the cooperation of the employees and the employers and is an industry as defined in section 2(j) of the Industrial Disputes Act of 1957.

17. In Writ petition Nos. 1584 of 1981, 3721 of 1981 and 3122 of 1981 the Nagpur Bench of the High Court of Bombay held that telegraph department is an industry under section 2(j) of the Industrial Disputes Act. In K.R.P. Kaimal and Anr. and Director of Postal services, Trivandrum 1979 I LLJ 176, it is observed by Their Lordships public utility services like the postal services comes under industry, such activity cannot be called as a sovereign functions solely because rules framed under articles 309 and 310 govern such an employee. In another case between Bhaskaran and



Sub-Divisional Officer 1982 II LJ 248 it is observed that post and telegraph and Telephone services are named public utility services under the Act. They are industries to which the provisions of section 10, 12 and 22 of the Act directly apply.

18. In *Delhi Science Forum Vs. The Union of India* (1996) 2 Supreme Court cases 405 wherein Their Lordships considered section 4 of the Telegraphic Act, 1885 which speaks of granting a licence to non-government companies. Their right flows from the sub-section 1 of section 4 which vests that privilege and right in the Central Government.

19. On the basis of the principles laid down in the above said authorities it is tried to argue that Telecommunication is an industry. It cannot be termed as a sovereign function of the state. It is Government undertaking. It works for profits for all these reasons it clearly meets out the requirement of industry under section 2(i) of the Act and is an industry.

20. The Learned Advocate for the management argued that this Tribunal in an earlier Reference No. 2/2/6/91 came to the conclusion on the basis of the Joseph's case that Telecommunication is not an industry judicial discipline wants that unless there is verdict from the superior court or that there is sufficient evidence on the record for changing the earlier views the Tribunal should not change its views. This proposition is acceptable. Furthermore, if it is found by the Tribunal that a view taken by it is incorrect. There in that case it cannot be said that it should commit the same mistake in later judgments/Awards. It can very well correct himself as laid down in *Mafatlal Engineering Industries Ltd Vs. Mafatlal Engineering Employees Union and Ors.* 1992 I CLR 418. The Award of this Tribunal was challenged in *SI P Bombay Telephone canteen employees case*. It was confirmed.

21. The Learned Advocate for the workman argued that the Bangalore Water Works was delivered by a constitution bench of seven judges. The view expressed in Joseph's case and later on in *Bombay Telephones case* is of a smaller bench of the same court. In view of Article 141 of the Constitution the decision given in those cases is 'per incuriam'. The Tribunal has to ignore it. In *Bombay Telephones case* Their Lordships had considered many of the authorities which were cited before me. The ratio therein cannot be said to be 'per incuriam'.

22. The Learned Advocate for the workman placed reliance on *Union of India and Ors. Vs. Godfrey Philips India Ltd.* (1985) 4 S.C. cases 369 and *Punjab Land Development and Reclamation Corporation Ltd. Chandigarh Vs. Presiding Officer Labour Court Chandigarh* (1990) 3 S.C. cases 682. These cases deals with the law that the Principle laid down by larger bench are to be followed in relation to smaller bench nobody disputes it.

23. The Supreme Court considered their views expressed in Joseph's case in *Bombay Telephone Canteen Employees Association. Prabhadevi Telephone Exchange Vs. Union of India and Anr.* 1997 II CLR 218 Their Lordships considered the Bangalore Water Works, Hospital Mazdoor Sabha, Corporation of City of Nagpur, Rajasthan State Electricity Board and many other. They also considered the case of *Physical Research Laboratory Vs. K. G. Sharma J. T.* 1997 (4) S.C. 527 and came to the conclusion that departmental canteen of Telephone is not in industry. It is observed that the employees working in a statutory canteen in view of respondents admission are holding civil posts and are being paid monthly salary and are employees, the necessary conclusion would be that the Tribunal has no jurisdiction to adjudicate a dispute on a reference under section 10(1) of Industrial Disputes Act.

24. In the above said authority their Lordships further observed that the employee gets a remedy under the Act by way of reference and remedy of a judicial redresser by way of proceedings under Article 226 or a petition filed before the Administrative Tribunal. They are co-existing. The court would therefore strike a balance between the competing rights of the individual and the state agency or instrumentality and decide the validity of the action taken by the management. Necessarily if the service conditions stand attrac-

ted all the conditions laid there in would become applicable to the employees with a fixity of tenure and guarantee of service subject to disciplinary action. His removal should be in accordance with the just and fair procedure envisaged under the rules or application of the Principles of Natural Justice as the case may be in which event the security of the tenure of the employees is assured and the whim and the fancy vagary of the employer would be deterred and if unfair and unjust action is found established it would be declared as an arbitrary, unjust or unfair procedure. On the other hand if the finding is that there exists no statutory rule or certified standing order exists or they are not either made in applicable. The remedy of the reference under section 10 of the Act would always be available and avail of as it is an industry and indicia lead in Bangalore Water Supply Board case gets attracted.

25. In *Himanshu Kumar Vidyarthi and Ors. Vs. State of Bihar and Ors.* 1997 S.C. cases (L&S) 1979 Their Lordships observed every department of Government cannot be treated to be an industry. When the appointments are regulated by the statutory rules the concept of industry to that extent stands excluded. In that case the petitioners were not appointed to the posts in accordance with the rules but were engaged on the basis of need of the work. They are temporary employee working on daily wages. They are disengagement from service, cannot be construed to be a retrenchment under the Industrial Disputes Act. The concept of retrenchment therefore cannot be stretched to such an extent as to cover these employees since they are only daily wage employees and have no right to the post, their disengagement is not arbitrary. Relying on the ratio given in this authority it is tried to submit that the workman who is a casual labourer have no right for the employment. The other facts are different than the facts before me.

26. The ratio laid down from the above said authorities is that if the employees hold a civil posts and are being paid monthly salary and are employees the necessary conclusion would be that the Tribunal has no jurisdiction to adjudicate the dispute on a reference under section 10(1) of the Act.

27. From the testimony of Lalchand Pandit (Ex-11) the workman and Vasudev (Ex-14) the Assistant Engineer Microwave Thane it reveals that the payment of wages to Pandit was on a daily rate monthly basis. There is no pay scale fixed to him. His recruitment was not as per the prescribed norms. In other words he is not holding a civil post. It is therefore the Tribunal had jurisdiction to decide the reference.

28. Lalchand affirms that he continuously served between 1-10-84 to 11-8-89. He accepts the position that when there was no work he was not given work. He relied upon the certificate (Ex-4/9) given by Vasudev. It states that he was in continuous service from 26-4-84 to 11-8-89. It is a photo copy. After seeing the original which was shown to Vasudev (Ex-14) the Assistant Engineer he categorically states that the word 'not' which was written by him on the endorsement is torn off and in the xerox copy the place appears to be blank. That clearly goes to show that the certificates on which the worker wants to rely upon is not correct one. If really that certificate would have issued by Vasudevan nobody prevented him from giving him details of his working dates. I therefore find that in the certificate the word not must be there and as per the case of the management Pandit was employed between that period whenever the work was available. Vasudev accepts the position that between 1-1-89 to 11-8-89 Pandit worked for 176 days as shown on page 32 of the documents produced on the record.

29. Vasudev affirmed that Pandit left the earlier job because he got an employment at Railways. It was orally informed to him in somewhere in July '1986. Exhibit-19 is a letter written by Pandit to the management informing that as he got job in railways he left the earlier job and now he may be re-employed. No doubt in this letter there is no reference of his employment with the present employer between 1-1-89 to 11-8-89. On this it is tried to be argued on behalf of the worker that Pandit had affirmed to the effect that using undue influence on him this letter was procured by the management. If really that would have been so immediately he would have raised an objection before the competent authorities viz. the supervisors of the Vasudevan or with the union but he had not done so. I am not in-

clined to accept that this letter was got written by the employer using undue influence. Further more the conduct of producing the certificate (Ex-4/9) by tearing the word 'not' clearly speaks that Pandit is not reliable.

30. Pande (Exhibit-15) affirmed that he had given the complaint Exhibit-21 dated 11-8-89 to his superiors alleging misconduct of the workman. Such complaint was also given by one Diwale on the same date (Exhibit-23). These complaints were admitted by the workman. That shows that the workman threatened these other employees and misbehaved in the premises.

31. For the above said reasons it can be seen that Pandit did not complete 240 days in a year. Naturally he cannot be said to be in continuous service contemplated under section 25(B) of the Act. It is therefore the management was right in not giving him any legal notice or compensation before terminating his service. I therefore record my findings on the issues accordingly and pass the following order :

#### ORDER

The action of the management of Microwave Maintenance Department of Telecom, Microwave Building, Kopri, Thane in terminating the services of Shri Lalchand Kachru Pandit is legal and justified.

S. B. PANSE, Presiding Officer

नई दिल्ली, 28 अक्टूबर, 1997

कां०आ० 2970.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार जनरल मैनेजर टेलीकॉम, कल्याण के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं० 2, मुम्बई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-10-97 को प्राप्त हुआ था।

[सं० एल-40012/31/95-आई आर (डीयू)]  
के०वी०बी० उन्नी, डेस्क अधिकारी

New Delhi, the 28th October, 1997

S.O. 2970.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, No. 2, Mumbai as shown in the Annexure, in the industrial dispute between the employers in relation to the management of General Manager Telecom, Kalyan and their workman, which was received by the Central Government on the 28-10-1997.

[No. L-40012/31/95-IR(DU)]  
K. V. B. UNNY, Desk Officer.

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. II MUMBAI

PRESENT :

Shri S. B. Panse, Presiding Officer.

REFERENCE NO. CGIT-2/24 of 1996

Employers in relation to the management of Telecom

AND

Their Workmen

#### APPEARANCE :

For the Employer : Mr. B. M. Masurkar, Advocate.

For the Workmen : Mr. M.B. Anchan Advocate.

Mumbai, dated 22nd September, 1997

#### AWARD

The Government of India, Ministry of Labour by its Order No. L-40012/31/95-IR(DU), dated 30th April, 1996 had referred to the following Industrial Dispute for adjudication.

"Whether the action of the management of General Manager, Telecom Kalyan in not re-employing Shri U. M. Ghurade who has worked for more than 240 days in a period of 12 months is legal and justified ? If not, to what relief the concerned workman is entitled to ?"

2. M. Ghurade, the workman pleaded that he was engaged as a casual labourer by the Sub-Divisional Officer Kalyan, Telecom and was working at M.I.D.C. Telephone Exchange, Dombivili since 1-10-1985. He continuously worked till 31-7-1987. The total working days were 669. It is asserted that on 1-8-87 he was not given work and his services were terminated.

3. The workman pleaded that in May 1988 he worked at Murbad under Kalyan Telecom Division. Thereafter he worked for six month that is from 1-5-1989 to 30-10-1989 under D.E.T. Microwave, Akola Division. He was not given any work by any division thereafter.

4. The worker pleaded that he continuously worked for more than 240 days in a year preceding his termination at Kalyan Division. It is averred that while terminating he was not served with any notice nor given any retrenchment compensation. He approached the officers of Kalyan Division for getting the job. He was told that other casual labourer was employed in view of the orders of the Commissioner, the worker also should approach the court for getting the orders. The worker prayed that he may be reinstated in service with full back wages and continuity in service.

5. The management resisted the claim by their written statement at Exhibit-5. It is averred that the Tribunal has no jurisdiction to decide it. It is submitted that the worker himself did not report to the duty from 1-8-87. His whereabouts were not known. They came to know regarding him only after he raised the dispute on 21-1-1994. It is submitted that the worker left the job at his own and joined at Akola which is in his native place. It is averred that there is no question of compliance of provisions of retrenchment as the worker himself abandoned the work w.e.f. 1-1-87. It is averred that there is no

retrenchment of the worker within the definition of the terms as defined in the section 2(oo) of the Industrial Disputes Act. It is submitted that under such circumstances the reference may be answered accordingly.

6. The issues that fall for my consideration and my findings thereon are as follows :

Issues	Findings
1. Whether the Tribunal has jurisdiction to decide the reference under the Industrial Disputes Act ?	Yes.
2. Whether the action of the management of General Manager, Telecom, Kalyan, in not reemploying Ghurade who worked more than 240 days in a period of 12 months is legal and justified ?	Legal and Justified.
3. If not, to what relief the workman is entitled to ?	Does not survive.

### REASONS

7. The issue of jurisdiction has to be seen by the Tribunal. It is not necessary that the adverse party should raise the issue then only the Tribunal can embark upon it. It is general contention that in view of the case, Sub-Divisional Inspector of Posts Vs. Theyyam Joseph 1996 II Supreme 487, the telecommunication is not an industry and this Tribunal has no jurisdiction to decide the matter.

8. In Joseph's case Their Lordships observed 'India is a sovereign, socialist, secular, democratic republic has to establish an egalitarian social order under the rule of law. The welfare measures pertain the character of sovereign functions and the traditional duty to maintain law and order is no longer the concept of the state. Directive principles of state policy enjoin the state diverse duties under IV of the constitution and performances of the duties are constitutional functions. One of the duties is of the state, to provide telecommunication service to the general public as an amenity and so is the essential part of sovereign functions of the state, as a welfare state, it is not therefore an industry.'

9. The Learned Advocate for the workman placed reliance on various authorities and tried to submit that Mahanagar Telephone Nigam Limited is an industry. According to him in State of Bombay and Ors. Vs. Hospital Mazdoor Sabha and Ors. 1960 I LLJ 251 it is observed, it is the character of the activity which decides the question as to whether the activity in question attracts the provisions of 2(i) of the Act. It is further observed who conducts the activity and whether it is conducted for profit or do not make a material difference. Their Lordships also referred to Schedule I to the Act which innumerate Industries which may be declared as a public utility service under section 2(N) of the Act.

10. In Corporation City Nagpur and its employees 1960 I LLJ 523 Their Lordships considered the scope of the definition of industry. It is observed that however wide the definition of industry might be it could not include the legal or sovereign function of the state viz. the primary and inalienable functions of a Constitutional Government which should be confined to administration of justice, maintenance of law and other legislative functions.

11. In the management of Safdarjung Hospital and Kuldeo Singh Sethi 1970 II LLJ 226, Their Lordships while considering whether Hospital run by Government or a local authority or by charitable institutions not as a economic activity as an industry held that they are not governed by the definition of industry in section 2(j) of the Act. In paragraph 14 and 15 Their Lordships discussed the point regarding material services. It is observed that material services are not services which depend wholly or largely upon the contribution of professional knowledge, skill or dexterity for the production of the result. Such a service given individually by individual are service no doubt but not material services. These services involve inactivity carried on through cooperation between employers and employees to provide a community with a use of something such as electric power, water, transportation, mail delivery telephones and the like.

12. Then comes the Bangalore Water Supply and Sewerage Board etc. and A. Raiappa & Ors. 1978 I LLJ 349. The Constitutional Bench of seven Judges discussed various aspects namely what is industry and laid down different tests for coming to conclusion where a particular activity is an industry or not. The Learned Advocate for the workman more particularly placed reliance on paragraph 46 and 47 of the Judgment. He also referred to paragraph 131 of the Judgment. It is observed therein that what is the dominant nature test. It is stated that sovereign functions strictly understood alone qualified for exception not the welfare activities or economic adventures undertaken by Government as statutory bodies.

13. In Dahir Gram Panchayat and Shri Brahad Saurashtra Safai Kamgar Mandal Raikot 1971 I LLJ 508, wherein it is held that the conservancy and the sanitary activity carried on by panchayat would be covered by the definition of the word industry. Such activity being material service and a public utility service. The workers are the workman as defined in section 2(j) of the Act.

14. In another case between Umanyam and State of Kerala 1983 I LLJ 267 Their Lordships have given a test for determining which establishments in an industry are an industry or not. The Reference was regarding clerk, typists, Khalasis. While deciding it Their Lordships observed sovereign functions strictly understood alone qualify for exemptions not the other activities or economic adventure taken by Government or Statutory bodies. In another case Biiroy Kumar Bharathi & Ors. Vs. State of Bihar I LLJ 214 Their Lordships observed that the mere fact that there is a service code does not amount to necessary implication to the exclusion of the provision of the Indus-

trial Disputes Act to Government department. If there were rules, for instance specially dealing with the manner in which temporary appointment could be terminated it could legitimately be argued that section 25F is excluded. For them the rules framed under the Constitutional provisions would have precedence over the Act. It is not possible to accept the contention that the provisions of the Act do not apply to Government servants.

15. In *Union of India Vs. Presiding Officer Vs. Central Government Industrial Tribunal, Jabalpur*, FGR 1994 page 231 Their Lordships observed that the Central Ordinance department is a severable unit of the defence department of the Central Government and carried on systematic activity with the cooperation of the employees and the employees and is an industry as defined in section 2(j) of the Industrial Disputes Act of 1947.

16. In Writ Petition Nos. 1584 of 1981, 8721 of 1981 and 3122 of 1981 the Nagpur Bench of the High Court of Bombay held that telegraph department is an industry under section 2(j) of the Industrial Disputes Act. In *K.R.P. Kaimal and Anr. and Director of Postal services, Trivandrum* 1979 1 LLJ 176 it is observed by Their Lordships public utility services like the postal services comes under industry, such activity cannot be called as a sovereign functions solely because rules framed under article 309 and 310 governs such an employee. In another case between *Bhaskaran and Sub-Divisional Officer* 1982 II LLJ 248 it is observed that post and telegraph and Telephone services are named public utility services under the Act. They are industries to which the provisions of section 10, 12a and 22 of the Act directly apply.

17. In *Delhi Science Forum Vs. The Union of India* (1996) 2 Supreme Court case 405 wherein Their Lordships considered section 4 of the Telegraphic Act, 1885 which speaks of granting of a licence to non-government companies. That right flows from the sub-section 1 of section 4 which vests that privilege and right in the Central Government.

18. On the basis of the principles laid down in the above said authorities it is tried to argue that Telecommunication is an industry. It cannot be termed as a sovereign function of state. It is Government undertaking. It works for profits for all these reasons it clearly meets out the requirement of an industry under section 2(j) of the Act and is an industry.

19. The Learned Advocate for the management argued that this Tribunal in an earlier Reference No. 2/26/91 came to the conclusion on the basis of the Joseph's case that Telecommunication is not an industry judicial discipline wants that unless there is verdict from the superior court or that there is sufficient evidence on the record for changing the earlier views the Tribunal should not change its views. This proposition is acceptable. Further more, if it is found by the Tribunal that a view taken by it is incorrect. There in that case it cannot be said that it should commit the same mistake in latter Judgments/Awards. It can very well correct himself as laid down in *Matatlal Engineering Industrial Limited Vs.*

*Matatlal Engineering Employees Union and Ors.* 1992 I CLR 418. The Award of this Tribunal was challenged in *SLP Bombay Telephone Canteen employees case*. It was confirmed.

20. The Learned Advocate for the workman argued that the Bangalore water works was delivered by a Constitution Bench of Seven Judges. The view expressed in Joseph's case and later on in *Bombay Telephones* case is of a smaller bench of the same court. In view of Article 141 of the Constitution the decision given in those cases is per incurium. The Tribunal has to ignore it. In *Bombay Telephones* case Their Lordships had considered many of the authorities which were cited before me. The ratio therein cannot be said to be 'per incurium'.

21. The Learned Advocate for the workman placed reliance on *Union of India and Ors. Vs. Godfrey Philips India Ltd.* (1985) 4 S.C. cases 369 and *Punjab Land Development and Re-clamation Corporation Ltd. Chandigarh* (1990) 3 S.C. 682. These cases deals with law that the principles laid down by larger bench are to be followed in relation to smaller bench, nobody disputes it.

22. The Supreme Court considered their views expressed in Joseph's case in *Bombay Telephone Canteen Employees Association, Prabhadevi Telephone Exchange Vs. Union of India and Anr* 1997 II CLR 218 Their Lordships considered the *Bangalore Water Works, Hospital Mazdoor Sabha, Corporation of City of Nagpur, Rajasthan State Electricity Board* and many other. They also considered the case of *Physical Research Laboratory Vs. K. G. Sharma J. T.* 1997 (4) S.C. 527 and came to the conclusion that departmental canteen of Telephone is not an industry. It is observed that the employees working in statutory canteen in view of respondents admission are holding civil posts and are being paid monthly salary and are employees, the necessary conclusion would be that the Tribunal has no jurisdiction to adjudicate the dispute on a reference under section 10(1) of the Industrial Disputes Act.

23. In the above said authority their Lord ships further observed that the employee gets a remedy under the Act by way of reference and remedy of a judicial redresser by way of proceedings under Article 226 or a petition filed before the Administrative Tribunal. They are co-existing. The court would therefore strike a balance between the competing rights of the individual and the state agency or instrumentality and decide the validity of the action taken by the management. Necessarily if the service conditions stand attracted all the conditions laid therein would become applicable to the employees with a fixity of tenure and guarantee of service subject to disciplinary action. His removal should be in accordance with the just and fair procedure envisaged under the rules or application of the Principles of Natural Justice as the case may be in which event the security of the tenure of the employees is assured and the whim and the fancy vagary of the employer would be deterred and if unfair and unjust action is found established it would be declared as an arbitrary, unjust

or unfair procedure. On the other hand if the finding is that there exists no statutory rule or certified standing order exists or they are not either made in applicable. The remedy of the reference under section 10 of the Act would always be available and avail of as it is an industry and indicia lead in Bangalore Water supply Board case gets attracted.

24. In Himanshu Kumar Vidyarthi and Ors. Vs. State of Bihar and Ors. 1997 S.C. Cases (L & S) 1079 Their Lordships observed every department of Government cannot be treated to be an industry. When the appointments are regulated by the statutory rules the concept of industry or that extent stand excluded. In that case the petitioners were not appointed to the posts in accordance with the rules but were engaged on the basis of need of the work. They are temporary employees working on daily wages. They are disengagement from service, cannot be construed to be a retrenchment under the Industrial Disputes Act. The concept of retrenchment therefore, cannot be stretched to such an extent as to cover these employees since they are only daily wage employees and have no right to the posts, their disengagement is not arbitrary. Relying on the ratio given in this authority it is tried to submit that the workman who is a casual labourer have no right for the employment. The other facts are different than the facts before me.

25. The ratio laid down from the above said authorities is that if the employees hold a civil posts and being paid monthly salary and are employees, the necessary conclusion would be that the Tribunal has no jurisdiction to adjudicate the dispute on a reference under section 10(1) of the Act.

26. It can be seen from the testimony of Umesh Gunde (Exhibit-8) the workman, V.N. Tupe (Ex-10) the sub-divisional engineer legal that there is no pay scale fixed to the employee. He was not employed after following due procedure. It can be further seen that there are no specific rules and regulations governing his employment. In other words he does not hold any civil posts. In the result the Tribunal had jurisdiction to decide the reference.

27. It is not in dispute that Churade was working continuously without any break from 1-10-1985 to 31-7-1987 with sub-divisional office telecommunication, Kalyan (Ex-7/1). The total days comes to 669. Ghurade affirms that thereafter he worked with at Murbad and Kalyan division in 1988 but he had not given its details, not produced any record to that effect. He further, affirmed that he served with D.E.T. Microwave Akola Division between 1-8-1989 to 30-10-1989. According to him in view of the schemes issued by the department he is entitled to get the job of the management. Tupe (Ex-10) affirmed that the worker himself left the job and did not report on duty from 1-8-1987. But later on joined at Akola which is his home town. So far as the home town is concerned it is not in dispute. Thereafter, it appears to me that he must have gone on his own accord to his native place and got the employment. He must have thought it fit to do the job at the native place to avoid other expenses. But when he could not get further employment there he thought it fit to ask for

the employment with the earlier employer. It is pertinent to note that this he did after seven years. Prime facie it suffers from laches. No explanation has come on the record why such a delay raising the dispute by him. Logically the answer is that he was already employer at Akola and therefore did not find it fit to do so.

28. Tupe affirmed that there was a cut off date for engaging a casual labourers who worked more than 240 days earlier. The cut off date was 15-3-1990. The case tried to be made out by the workman is that he was not aware of the cut off date. It is rightly argued on behalf of the management that there is no substance in it. Because he was working in the department at Akola therefore, he is bound to know that is taking place in the department. The same situation is every where. So far as the workman in the department is concerned he did not approach the management with a request that he should be re-employed. Under such circumstances I find that as the worker had left the job himself the management cannot be held to be responsible for any actions.

29. Ghurade affirmed that he may be reinstated in service and he is ready to forego all his dues. In view of the above said discussion he is not entitled to reinstatement in service. Naturally not entitled for back wages. But, looking to the service he rendered with the department the management may consider sympathetically his request for re-employment. For the above said reasons I record my findings on the issues accordingly and pass the following order :

#### ORDER

The action of the management of General Manager Telecom, Kalyan in not re-employing Shri U. M. Ghurade who was worked for more than 240 days in a period of 12 months is legal and justified.

S. B. PANSE, Presiding Officer

नई दिल्ली, 28 अक्टूबर, 1997

का.अ. 2971.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार महाराष्ट्र टेलीकॉम सर्कल, डिपार्टमेंट ऑफ टेलीकॉम्युनिकेशन मुम्बई के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, नं० 2, मुम्बई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-10-97 को प्राप्त हुआ था।

[सं. एल-40012/33/95-आई प्रार (डीयू)]

के.वी.वी. उष्णी, डैस्क अधिकारी

New Delhi, the 28th October, 1997

S.O. 2971.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby pub-

lishes the Award of the Central Government Industrial Tribunal, No. 2, Mumbai as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Maharashtra Telecom Circle, D/o Telecom, Mumbai and their workman, which was received by the Central Government on the 28-10-1997.

[No. L-40012|33|95-IR(DU)]  
K. V. B. UNNY, Desk Officer

### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL  
NO. 11, MUMBAI

PRESENT : SHRI S. B. PANE  
Presiding Officer

REFERENCE NO. CGIT-2|7 OF 1996  
Employers in Relation to the Management of  
Telecom

AND

Their workmen

### APPEARANCES :

For the Employer : Mr. P. M. Pradhan  
Advocate.

For the Workmen : Mr. N. Y. Lokhande  
Advocate.

Mumbai, dated 22nd September, 1997.

### AWARD

The Government of India, Ministry of Labour by its Order No. L-40012|33|95-IR(DU), dated 27|29-12-1995 had referred to the following Industrial Dispute for adjudication.

“Whether the action of the management of Maharashtra Telecom Circle, D/o Telecommunication, Bombay-1 in terminating the service of Shri Pravin R. Pardesi w.c.f. February, 1989 is justified? If not, to what relief the workman is entitled?”

2. Pravin R. Pardesi pleaded that he was employed by the Deputy General Manager, Maharashtra Telecom Service Mumbai as a casual labourer under T.O.T. Bassin on 1st March, 1997. He continued to work till 28th

February, 1989. It is asserted that break was given only when there was no work and in that period he continuously worked for 4 to 7 days. It is submitted that 28th February, 1989 his services was terminated without following the provisions of Industrial Disputes Act. He was not given notice or legal compensation. He therefore prayed that he may be re-instated in service in continuity alongwith back wages and consequential benefits.

3. The management resisted the claim by their written statement Exhibit-4. It is averred that the Tribunal has no jurisdiction to decide reference as he was not workman within the definition of workman under Industrial Disputes Act.

4. The management asserted that the worker was appointed as a casual labourer by Sub-Divisional Officer, Telegraph Bassin. It is denied that he was employed only when the work was available and on any project that was undertaken. It is submitted that under such circumstances there is no question of applicability of the provisions of Industrial Disputes Act of 1947. It is asserted that the worker never completed 240 days in a year. Under such circumstances it is prayed that the reference may be answered in favour of the management.

5. The worker filed rejoinder at Exhibit-6. It is pleaded that the worker had completed 240 days in a year as contemplated under section 25 B of the Act. It reiterated the contention taken in the statement of claim.

6. The issues are framed at Exhibit. The issues and my findings there on are as follows :—

Issues	Findings
1. Whether the Tribunal has jurisdiction to entertain and decide the reference?	Yes.
2. Whether the action of the management of Mahanagar Telephone Nigam Limited in terminating the services of Shri Pravin R. Pardesi is justified?	Yes.
3. If not, what relief the workman is entitled to?	Does not survive

## REASONS

7. The issue of jurisdiction has to be seen by the Tribunal. It is not necessary that the adverse party should raise the issue then only the Tribunal can embark upon it. It is general contention that in view of the case, Sub-Divisional Inspector of Posts Vs. Theyyam Joseph 1996 II Supreme 487, the telecommunication is not an industry and this Tribunal has no jurisdiction to decide the matter.

8. In Joseph's case Their Lordships observed India is sovereign socialist secular, democratic republic has to establish an egalitarian social order under the rule of law. The welfare measures pertain the character of sovereign functions and the traditional duty to maintain law and order is no longer the concept of the state. Directive principles of state policy enjoin the state diverse duties under IV of the constitution and performances of the duties are constitutional functions. One of the duties is of the state, to provide telecommunication service to the general public as an amenity and so is the essential part of sovereign functions of the state as a welfare state, it is not therefore an industry'.

9. The Learned advocate for the workman placed reliance on various authorities and tried to submit that Mahanagar Telephone Nigam Limited is an industry. According to him in State of Bombay and Ors. Vs. Hospital Mazdoor Sabha and Ors. 1960 I LLJ 251 it is observed, it is the character of the activity which decides the question as to whether the activity in question attracts the provisions of 2(j) of the Act. It is further observed who conducts the activity and whether it is conducted for profit or do not make a material difference. Their Lordships also referred to Schedule I to the Act which innumrated Industries which may be declared as a public utility service under section 2(N) of the Act.

10. In Corporation City Nagpur and its employees 1960 I LLJ 523 Their Lordships considered the scope of the definition industry. It is observed that however wide the definition of industry might be it could not include the legal or sovereign function as the state viz. the primary and inalienable functions of a constitutional government which

should be confined to administration of justice, maintenance of law and other legislative functions.

11. In the management of Safdurjung Hospital and Kuldeep Singh Sethi 1970 II LLJ 266, Their Lordships while considering whether Hospital run by Government or a local authority or by charitable institutions not as a economic activity as an industry held that they are not governed by the definition of Industry in Section 2(j) of the Act. In paragraph 14 and 15. Their Lordships discussed the point regarding material services. It is observed that material services are not services which depend wholly or largely upon the contribution of professional knowledge and skill or dexterity for the production of the result. Such a service given individually by individual are service no doubt but not material services. These services involve inactivity carried on through cooperation between employers and employees to provide a community with a use of something such as electric power, water, transportation mail delivery telephones and the like.

12. Then comes the Bangalore Water Supply and Sewerage Board etc. and A. Rappa & Ors. 1978 I LLJ 349. The Constitutional Bench of seven judges discussed various aspects namely what is industry and laid down different tests for coming to conclusion where a particular activity is an industry or not. The Learned Advocate for the workman more particularly placed reliance on paragraph 46 and 47 of the Judgement. He also referred to paragraph 131 of the Judgement. It is observed therein that what is dominant nature test. It is stated that sovereign functions strictly understood alone qualified for exception not the welfare activities or economic adventures undertaken by Government as statutory bodies.

13. In Dahir Gram Panchayat and Shri Brahad Saurashtra Safai Kamgar Mandal Rajkot 1971 I LLJ 508, wherein it is held that the conservancy and the sanitary activity carried on by panchayat would be covered by the definition of the word industry. Such activity being material service and a public utility service the workers are the workman as defined in section 2(j) of the Act.

14. In another case between Umanvann and State of Kerala 1983 I LLJ 267 Their Lordships have given a test for determining which establishments in an industry are an



industry or not. The reference was regarding clerk, typists, khtialsi. While deciding it Their Lordships observed sovereign functions strictly understood alone qualify for exemptions not the other activities or economic adventure taken by Government or statutory bodies. In another case *Bijoy Kumar Bharathi & Ors. Vs. State of Bihar* I LLJ 214 Their Lordships observed that the mere fact that there is a service code does not amount to necessary implication to the exclusion of the provision of the Industrial Disputes Act to Government Department. If there was rules, for instance specially dealing with the manner in which temporary appointment could be terminated it could legitimately be argued that section 25F is excluded. For them the rules framed under the Constitutional provisions would have precedence over the Act. It is not possible to accept the contention that the provisions of the Act do not apply to Government servants.

15. In *Union of India Vs. Presiding Officer Vs. Central Government Industrial Tribunal, Jabalpur*, FGR 1994 page 231 Their Lordships observed that the Central Ordinance Department is a severable unit of the defence department of the Central Government and carried on systematic activity with the Cooperation of the employers and the employees and is an industry as defined in section 2(j) of the Industrial Disputes Act of 1947.

16. In writ petition Nos. 1584 of 1981, 8721 of 1981 and 3122 of 1981 the Nagpur Bench of the High Court of Bombay held that telegraph department is an industry under section 2(j) of the Industrial Disputes Act. In *K.R.P. Kaimal and Anr. and Director of Postal Services, Trivandrum* 1979 I LLJ 176 it is observed by Their Lordships public utility services like the postal services comes under Industry, such activity cannot be called as a sovereign functions solely because rules framed under articles 309 and 310 governs such an employee. In another case between *Rheskaran and Sub-Divisional Officer* 1982 II LLJ 248 it is observed that post and telegraph and Telephone services are named public utility services under the Act. They are industries to which the provisions of section 10, 12 and 22 of the Act directly apply.

17. In *Delhi Science Forum Vs. The Union of India* (1996) 2 Supreme Court cases 405

wherein Their Lordships considered section 4 of the Telegraphic Act 1885 which speaks of granting of a licence to non-government companies. That right flows from the sub-section 1 of section 4 which vests that privilege and right in the Central Government.

18. On the basis of the principles laid down in the abovesaid authorities it is tried to argue that Telecommunication is an industry. It cannot be termed as a sovereign function of state. It is Government undertaking. It works for profits for all these reasons it clearly meets out the requirement of an industry under section 2(j) of the Act and is an industry.

19. The Learned Advocate for the management argued that this Tribunal in an earlier Reference No. 2/26/91 came to the conclusion on the basis of the Joseph's case that Telecommunication is not an industry judicial discipline wants that unless there is verdict from the superior court or that there is sufficient evidence on the record for changing the earlier views the Tribunal should not change its view. This proposition is acceptable. Furthermore, if it is found by the Tribunal that a view taken by it is incorrect. There in that case it cannot be said that it should commit the same mistake in latter judgements/Awards. It can very well correct himself as laid down in *Mafatlal Engineering Industrial Limited Vs. Mafatlal Employees Union and Ors.* 1992 I CLR 418. The Award of this Tribunal was challenged in SLP *Bombay Telephone canteen employees case*. It was confirmed.

20. The Learned Advocate for the workman argued that the Bangalore Water Works was delivered by a Constitution Bench of seven judges. The view expressed in Joseph's case and later on in *Bombay Telephones case* is of a smaller bench of the same court. In view of Article 141 of the Constitution the decision given in these cases is per incurrium. The Tribunal has to ignore it. In *Bombay Telephones case* Their Lordships had considered many of the authorities which were cited before me. The ratio therein cannot be said to be 'per incurrium'.

21. The Learned Advocate for the workman placed reliance on *Union of India and Ors. Vs. Godfrey Philips India Ltd.* (1985) 4 S. C. cases 369 and *Punjab Land Development and Reclamation Corporation Ltd. Chandigarh* (1990) 3 S. C. 682. These cases deals with law that the principles laid down



by larger bench are to be followed in relation to the smaller bench, nobody disputes it.

22. The Supreme Court considered their views expressed in Joseph's case in Bombay Telephone Canteen Employees Association, Prabhadevi Telephone Exchange Vs. Union of India and Anr. 1997 II CLR 218 Their Lordships considered the Bangalore Water Works Hospital Mazdoor Sabha, Corporation of City of Nagpur Rajasthan State Electricity Board and many other. They also considered the case of Physical Research Laboratory Vs. K. G. Sharma J. T. 1997 (4) S.C. 527 and came to the conclusion that departmental canteen of Telephone is not an industry. It is observed that the employees working in statutory canteen in view of respondents admission are holding civil posts and are being paid monthly salary and are employees, the necessary conclusion would be that the Tribunal has no jurisdiction to adjudicate the dispute on a reference under section 10(1) of the Industrial Disputes Act.

23. In the above said authority their Lordships further observed that the employee gets a remedy under the Act by way of reference and remedy of a judicial redresser by way of proceedings under Article 226 of a petition filed before the Administrative Tribunal. They are co-existing. The court would therefore strike a balance between the competing rights of the individual and the state agency or instrumentality and decide the validity of the action taken by the management. Necessarily if the service conditions stand attracted all the conditions laid therein would become applicable to the employees with a fixity of tenure and guarantee of service subject to disciplinary action. His removal should be in accordance with the just and fair procedure envisaged under the rules of application of the Principles of Natural Justice as the case may be in which event the security of the tenure of the employees is assured and the whim and the fancy vagory of the employer would be deterred and if unfair and unjust action is found established it would be declared as an arbitrary, unjust or unfair procedure. On the other hand if the finding is that there exists no statutory rule or certified standing order exists or they are not either made in applicable. The remedy of the reference under section 10 of the Act would always be available and

avail of as it is an industry and indicia lead in Bangalore Water Supply Board case gets attracted.

24. In Himanshu Kumar Vidyarthi and Ors. Vs. State of Bihar and Ors. 1997 S.C. cases (L&S) 1079 Their Lordships observed every department of Government cannot be treated to be an industry. When the appointments are regulated by the statutory rules the concept of industry to that extent stand excluded. In that case the petitioners were not appointed to the posts in accordance with the rules but were engaged on the basis of need of the work. They are temporary employees working on daily wages. They are disengagement from service, cannot be construed to be a retrenchment under the Industrial Disputes Act. The concept of retrenchment therefore cannot be stretched to such an extent as to cover these employees since they are only daily wage employees and have no right to the posts, their disengagement is not arbitrary. Relying on the ratio given in this authority it is tried to submit that the workman who is a casual labourer have no right for the employment. The other facts are different than the facts before me.

25. The ratio laid down from the above-said authorities is that if the employees hold a civil posts and are being paid monthly salary and are employees, the necessary conclusion would be that the Tribunal has no jurisdiction to adjudicate the dispute on a reference under section 10(1) of the Act.

26. From the testimony of Pardesi it does not reveal that he is in a particular pay scale. It cannot be also seen that his service conditions are governed by any rules or certified standing orders. Under such circumstances he cannot be said to be holding a civil post. In view of the ratios given in the abovesaid authorities I find that the Tribunal has jurisdiction decide the reference.

27. Pravin Paredesi (Exhibit-9) the worker affirmed that he worked as a casual labourer between 1-3-87 to 28-2-89. He admits that in that period break was given for want of work. He produced a certificate Exhibit-'A' given by the Telecom District Engineer Bombay Cit. The management did not lead any oral evidence.

28. Pravin affirmed that when the service were terminated he was not given any notice nor retrenchment compensation. It is to be seen whether the management was required to follow the provisions of retrenchment under the Industrial Disputes Act, in this particular case. From Exhibit-'A' it can be seen that the worker had not completed 240 days in 12 months preceding the date of the reference of which calculations is to be made. Here the date which is to be taken into consideration is 1-3-1989. Taking last 12 months it can be seen that he worked only for 224 days. As this is so he cannot be said to be in continuous service as defined under section 25 (B) of the Act. It is therefore, the provisions of retrenchment of the Act are not applicable to the worker. In the result the action of the management terminating the worker is legal and justified. The issues are answered accordingly.

### ORDER

The action of the management of Maharashtra Telecom Circle, D/o Telecommunication, Bombay-1 in terminating the service of Pravin R. Pardesi w.e.f. February, 1989 is legal and justified.

S. B. PANSE, Presiding Officer

नई दिल्ली, 28 अक्टूबर, 1997

का०अ०-2972.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार टी० डी० ई०, अकोला (महाराष्ट्र) के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निश्चित औद्योगिक विवाद में औद्योगिक अधिकरण नं० 2, मुम्बई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-10-97 को प्राप्त हुआ था।

[सं० एल-40012/98/95-आई आर (डीयू)]

के०वी०बी० उष्णी, डैस्क अधिकारी

New Delhi, the 28th October, 1997

S.O. 2972.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, No. 2, Mumbai as shown in the Annexure, in the industrial dispute between the employers in relation to the management of T.D.E., Akola (Maharashtra State) and their workman, which was received by the Central Government on 28-10-1997.

[No. L-40012/98/95-IR(DU)]  
K. V. B. UNNY, Desk Officer

### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL NO. II, MUMBAI

PRESENT :

Shri S. B. Panse, Presiding Officer.

Reference No. CGIT-2/28 of 1996

Employers in relation to the Management of  
Telecom.

AND

Their Workmen.

APPEARANCES :

For the Employer : Mr. P. M. Pradhan,  
Advocate.

For the Workmen : Mr. S. P. Inamdar,  
Advocate.

Mumbai, dated 22nd September, 1997

### AWARD

The Government of India, Ministry of Labour by its Order No. L-40012/98/95-IR(DU), dated 30-5-1996, had referred to the following Industrial Dispute for adjudication :

"Whether the action of the management of TDE Akola (Maharashtra) State in terminating the services of Shri Tribhuwan Singh Panchdev Singh is legal and justified ? If not, to what relief the workman is entitled to ?"

2. Tribhuwan Singh Panchdev Singh the workman filed a statement of claim at Exhibit-3. He contended that he was employed as a casual mazdoor from 1-1-87 and continued to work till 10-12-87 on wages of Rs. 780 plus D.A. and usual allowances at Distt. Engineer Telecom, District Akola. His service was illegally terminated. He alongwith other casual mazdoors approached Central Administrative Tribunal for redressal. The Tribunal ordered the department to give the appointments.

3. The workman pleaded that as per the order of the Central Administrative Tribunal he was appointed on 7-7-93. He worked upto 9-12-93. Thereafter he was sick for about seven and a half months. He approached the authorities on 1-8-94 alongwith a medical certificate dated 31-7-94. The authorities did not consider the correctness of the medical certificate nor gave any ruling thereon and ultimately did not allow him to join the duties. It is submitted that the opposite party No. 2 that is the Sub-Divisional Engineer Phones pleaded that he had no authority to consider the request made by the workman. It is submitted that the approach of the management is not proper. The T.D.E. Akola was not competent to condone the absence period

exceeding one month but the sub-divisional Engineer should have done that work. It is pleaded that the action of the management not allowing him to join the duties in other words terminating his services may be declared as illegal and he may be reinstated in service with full back wages.

4. The management resisted the claim by their written statement Exhibit-5. It is averred that the Tribunal has no jurisdiction to decide the matter. It is pleaded that the workman was engaged at Railway Electrification Telecom Project which does not come under Akola Division. But in view of orders passed by Central Administrative Tribunal, he was employed on 7th July, 1993. His name appeared at seniority list No. 155.

5. The management pleaded that the workman was absconding from the duty forgetting that he was appointed in view of the order of the Central Administrative Tribunal. He never informed the management regarding his illness and remaining absent. It is pleaded that the Sub-Divisional Engineer nor the T.D.E., Akola had any authority to condone the delay for more than one month. It is therefore incorrect to state that those authorities were competent to condone the delay. It is submitted that the workman had no case and the reference may be answered accordingly.

6. The workman reiterated the claim made by him in Rejoinder (Ex-6).

7. The issues are framed at Exhibit-7. The issues and my findings thereon are as follows :

Issues	Findings
1. Whether the Tribunal has a jurisdiction to decide the matter ?	Yes
2. Whether the action of the management of T.D.E. Akola, Maharashtra in terminating the service of Tribhuwan Singh Panchdev Singh is legal and justified ?	Yes
3. If not, to what relief the workman is entitled to ?	Does not service.

### REASONS

8. The issue of jurisdiction has to be seen by the Tribunal. It is not necessary that the adverse party should raise the issue then only the Tribunal can embark upon it. It is general contention that in view of the case, Sub-Divisional Inspector of Posts Vs. Theyyam Joseph 1996 II Supreme 487, the telecommunication is not an industry and this Tribunal has no jurisdiction to decide the matter.

9. In Joseph's case Their Lordships observed 'India is a sovereign, socialist, secular, democratic

republic has to establish an egalitarian social order under the rule of law. The welfare measures pertain the character of sovereign functions and the traditional duty to maintain law and order is no longer the concept of the state. Directive principles of state policy enjoin the state diverse duties under IV of the constitution and performances of the duties are constitutional functions. One of the duties is of the state, to provide telecommunication service to the general public as an amenity and so is the essential part of sovereign functions of the state as a welfare state, it is not therefore an industry'.

10. The Learned advocate for the workman placed reliance on various authorities and tried to submit that Mahanagar Telephone Nigam Limited is an industry. According to him in State of Bombay and Ors. Vs. Hospital Mazdoor Sabha and Ors. 1960 I LLJ 251 it is observed, it is the character of the activity which decides the question as to whether the activity in question attracts the provisions of 2(j) of the Act. It is further observed who conducts the activity and whether it is conducted for profit or do not make a material difference. Their Lordships also referred to Schedule I to the Act which enumerated Industries which may be declared as a public utility service under section 2(N) of the Act.

11. In Corporation City Nagpur and its employees 1960 I LLJ 523 Their Lordships considered the scope of the definition industry. It is observed that however wide the definition of industry might be it could not include the legal or sovereign function of the state viz. the primary and inalienable functions of a constitutional government which should be confined to administration of justice, maintenance of law and other legislative functions.

12. In the management of Safdurjung Hospital and Kuldeep Singh Sethi 1970 II LLJ 266, Their Lordships while considering whether Hospital run by Government or a local authority or by charitable institutions not as a economic activity as an industry held that they are not governed by the definition of Industry in section 2(j) of the Act. In paragraph 14 and 15, Their Lordships discussed the point regarding material services. It is observed that material services are not services which depend wholly or largely upon the contribution of professional knowledge and skill or dexterity for the production of the result. Such a service given individually by individual are service no doubt but not material services. These services involve inactivity carried on through cooperation between employers and employees to provide a community with a use of something such as electric power, water, transportation, mail delivery telephones and the like.

13. Then comes the Bangalore Water Supply and Sewerage Board etc. and A. Rajappa & Ors. 1978 1 LLJ 348 The Constitutional Bench of seven judges discussed various aspects namely what is industry and laid down different tests for coming to conclusion where a particular activity is an industry or not. The Learned Advocate for the workman more particularly placed reliance on para-46 and 47 of the Judgment. He also referred to paragraph 131 of the Judgment. It is observed therein that what is dominant nature test. It is stated that sovereign functions strictly understood alone qualified for exception not the welfare activities or economic adventures under taken by Government as statutory bodies.

14. In Dahir Gram Panchayat and Shri Brahad Saurashtra Safai Kamngar Mandal Rajkot 1971 1 LLJ 508, wherein it is held that the conservancy and the sanitary activity carried on by Panchayat would be covered by the definition of the word industry. Such activity being material service and a public utility service the workers are the workmen as defined in section 2(j) of the Act.

15. In another case between Umayamn and State of Kerala 1983 1 LLJ 267 Their Lordships have given a test for determining which establishments in an industry are an industry or not. The reference was regarding clerk, typists, Khalasis. While deciding it Their Lordships observed sovereign functions strictly understood alone qualify for exemptions not the other activities or economic adventure taken by Government or statutory bodies. In another case Bijoy Kumar Bharathi & Ors. Vs. State of Bihar 1 LLJ 214 Their Lordships observed that the mere fact that there is a service code does not amount to necessary implication to the exclusion of the provision of the Industrial Disputes Act to Government Department. If there was rules, for instance specifically dealing with the manner in which temporary appointment could be terminated it could legitimately be argued that section 25F is excluded. For them the rules framed under the constitutional provisions would have precedence over the Act. It is not possible to accept the contention that the provisions of the Act do not apply to Government servants.

16. The Union of India Vs. Presiding Officer Vs. Central Government Industrial Tribunal, Jabalpur FGR 1994 page 231 Their Lordships observed that the Central Ordinance Department is a severable unit of the defence department of the Central Government and carried on systematic activity with the Cooperation of the employees and the employers and is an industry as defined in section 2(j) of the Industrial Disputes Act of 1947.

17. In Writ Petition Nos. 1584 of 1981, 8721 of 1981 and 3122 of 1981 the Nagpur Bench of the High Court of Bombay held that telegraph department is an industry under section 2(j) of

the Industrial Disputes Act. In K. R. P. Naimal and Anr. & Director of Postal Services Trivandrum 1979 1 LLJ 176 it is observed by Their Lordships public utility services like the postal services comes under industry, such activity cannot be called as a sovereign functions solely because rules framed under articles 309 and 310 governs such an employee. In another case between Bhaskaran and Sub-Divisional Officer 1982 II LLJ 248 it is observed that Post and Telegraph and Telephone services are named public utility services under the Act. They are industries to which the provisions of section 10.12 and 22 of the Act directly apply.

18. In Delhi Science Forum Vs. The Union of India (1996) 2 Supreme Court cases 405 wherein Their Lordships considered section 4 of the Telegraphic Act 1885 which speaks of granting of a licence to non-government companies. That right flows from the sub-section 1 of section 4 which vests that privilege and right in the Central Government.

19. On the basis of the principles laid down in the above said authorities it is tried to argue that Telecommunication is an industry. It cannot be termed as a sovereign function of state. It is Government undertaking. It works for profits for all these reasons it clearly meets out the requirement of an industry under section 2(j) of the Act and is an industry.

20. The Learned Advocate for the management argued that this Tribunal in a earlier Reference No. 2/2/91 came to the conclusion on the basis of the Joseph's case that Telecommunication is not an industry judicial discipline wants that unless there is verdict from the superior court or that there is sufficient evidence on the record for changing the earlier views the Tribunal should not change its views. This proposition is acceptable. Further more, it is found by the Tribunal that a view taken by it is incorrect. There in that case it cannot be said that it should commit the same mistake in latter judgments/Awards. It can very well correct himself as laid down in Mafatlal Engineering Industrial Limited Vs. Mafatlal Employees Union and Ors. 1992 1 CLR 418 The Award of this Tribunal was challenged in SLP Bombay Telephone Canteen Employees case. It was confirmed.

21. The Learned Advocate for the workman argued that the Bangalore Water Works was delivered by a Constitution Bench of Seven Judges. The view expressed in Joseph's case and later on in Bombay Telephones case is of a smaller bench of the same court. In view of Article 141 of the Constitution the decision given in those cases is 'per incurrium'. The Tribunal has to ignore it. In Bombay Telephones case Their Lordships had considered many of the authorities which were cited before me. The ratio therein cannot be said to be 'per incurrium'.

22. The Learned Advocate for the workman placed reliance on Union of India and Ors. Vs. Godfrey Philips India Ltd. (1985) 4 S.C. cases 369 and Punjab Land Development and Reclamation Corporation Ltd. Chandigarh (1990) 3 S.C. 682. These cases deals with law that the principles laid down by larger bench are to be followed in relation to the smaller bench, nobody disputes it.

23. The Supreme Court considered their views expressed in Joseph's case in Bombay Telephone Canteen Employees Association, Prabhadevi Telephone Exchange Vs. Union of India and Anr. 1997 II CLR 218 Their Lordships considered the Bangalore Water works Hospital Mazdoor Sabha, Corporation of City of Nagpur Rajasthan State Electricity Board and many other. They also considered the case of Physical Research Laboratory Vs. K. G. Sharma J.T. 1997 (4) S.C. 527 and came to the conclusion that departmental canteen of Telephone is not an industry. It is observed that the employees working in statutory canteen in view of respondents admission are holding civil posts and are being paid monthly salary and are employees, the necessary conclusion would be that the Tribunal has no jurisdiction to adjudicate the dispute on a reference under section 10(1) of the Industrial Disputes Act.

24. In the above said authority Their Lordships further observed that the employee gets a remedy under the Act by way of reference and remedy of a judicial redresser by way of proceedings under Article 226 of a petition filed before the Administrative Tribunal. They are co-existing. The court would therefore strike a balance between the competing rights of the individual and the state agency or instrumentality and decide the validity of the action taken by the management. Necessarily if the service conditions stand attracted all the conditions laid therein would become applicable to the employees with a fixity of tenure and guarantee of service subject to disciplinary action. His removal should be in accordance with the just and fair procedure envisaged under the rules or application of the Principles of Natural Justice as the case may be in which event the security of the tenure of the employees is assured and the whim and the fancy vapour of the employer would be deterred and if unfair and unjust action is found established it would be declared as an arbitrary, unjust or unfair procedure. On the other hand if the finding is that there exists no statutory rule or certified standing order exists or they are not either made in applicable. The remedy of the reference under section 10 of the Act would always be available and avail of as it is an industry and indicia lead in Bangalore Water Supply Board case gets attracted.

25. In Himanshu Kumar Vidvarthi and Ors. Vs. State of Bihar and Ors. 1997 S.C. cases (I & S) 1079. Their Lordship observed every department of

Government cannot be treated to be an industry. When the appointments are regulated by the statutory rules the concept of industry to that extent stands excluded. In that case the petitioners were not appointed to the posts in accordance with the rules but were engaged on the basis of need of the work. They are temporary employees working on daily wages. They are disengagement from service, cannot be construed to be a retrenchment under the Industrial Disputes Act. The concept of retrenchment therefore cannot be stretched to such an extent as to cover these employees since they are only daily wage employees and have no right to the posts, their dis-engagement is not arbitrary. Relying on the ratio given in this authority it is tried to submit that the workman who is a casual labourer have no right for the employment. The other facts are different than the facts before me.

26. The ratio laid down from the above said authorities is that if the employees hold a civil posts and are being paid monthly salary and are employees, the necessary conclusion would be that the Tribunal has no jurisdiction to adjudicate the dispute on a reference under section 10(1) of the Act.

27. Admittedly Tribhuwan Singh Panchdev Singh was employed as a casual labourer. There was no specific pay scale for him. His recruitment was not under any rules framed for employment. For all these reasons it cannot be said that he is holding a civil post. Under such circumstances for the principles laid down in the above said authorities the Tribunal had jurisdiction to decide the reference under Industrial Disputes Act of 1947.

28. Tribhuwan Singh Panchdev Singh (Exhibit-10) affirmed that he was a casual mazdoor between 1-7-87 to 10-12-90. He was terminated on 11-12-90. It appears that alongwith him other casual mazdoors were also terminated. Therefore they filed a petition before the Central Administrative Tribunal Mumbai Bench, Nagpur. The Tribunal allowed the application and directed the management to reinstate these casual mazdoors. It is not in dispute as per the orders of the Central Administrative Tribunal Tribhuwan Singh was appointed on 7-7-93 as a casual mazdoor.

29. Tribhuwan Singh affirms that he worked between 7-7-93 to 9-12-93 at Washim under Assistant Engineer, Phones. He thereafter fell sick from 10-12-93 to 31-7-94. He affirmed that there after on 1st August 1994 when he approached the authorities alongwith the medical certificate he was not allowed to join the duties on the pretext that they cannot condone more than one months delay. It can be seen that except the workman and other casual employees which were appointed were given the temporary status (Ex-8/17) dated 5-5-95.

30. Ingle (Exhibit-12) the Assistant Engineer Phones Washim affirmed that the workman left the place of work without intimation to the management. He was absconding. He never intimated his sickness to the management at any time. It can be seen that he is a person who approached the Central Administrative Tribunal and got the job. It is therefore he is bound to know what steps should be taken in a particular circumstances. As he was sick it was his duty to inform the management regarding his inability to attend the duties. But he did not do so. Therefore the natural conclusion is that he absconded from the duties. The management cannot be said to be at any fault for not allowing him to join the duties.

31. That takes me to the medical certificate (Ex-8|11) dated 3-7-94 issued by one doctor of Akola. He certified that the workman was under his treatment between 10-12-93 to 31-7-94. That is the period in which he remained absent. Tribhuwan Singh accept that he went to Resowd which is his native place after falling sick. He took treatment there. It is about 80 Kms. away from Akola. On the advice of his doctor at Resowd he went to Akola for further treatment. He was a patient in the private clinic of the doctor who is attached to the government hospital. Naturally some of the days of his absentism must be at Resowd where he alledged to have taken treatment. If that is so the period mentioned in the certificate (Ex-8|11) appears to be incorrect. If that is so the testimony of Tribhuwan Singh is not reliable. The contention taken by the management that he absconded the duty is to be accepted. It cannot be forgotten that he is a casual worker and got the job in view of the order of the Central Administrative Tribunal. His conduct clearly speaks that he has no care for his job and now moved the Tribunal with ulterior motive. That cannot be allowed. In the result I record my findings on the issues accordingly and pass the following order :

#### ORDER

The action of the management of T.D.E., Akola, Maharashtra in not allowing to join Tribhuwan Singh Panchdev Singh to service is legal and justified.

S. B. PANSE, Presiding Officer

नई दिल्ली, 28 अक्तूबर, 1997

का०ग्रा०-2973-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार महानगर टेलीफोन निगम लिमिटेड, मुम्बई के प्रबंध-तंत्र के संबंध नियोजकों और उन कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण, नं० 2 मुम्बई के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार को 28-10-97 को प्राप्त हुआ था ।

[सं० एल-40012/233/94-आईआर (डीयू)]  
के०वी०बी० उष्णी, डेक अधिकारी

New Delhi, the 28th October, 1997

S.O. 2973.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, No. 2, Mumbai as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Mahanagar Telephone Nigam Ltd., Mumbai and their workman, which was received by the Central Government on the 28-10-97.

K. V. B. UNNY, Desk Officer  
[No. L-40012|233|94-ID(DU)]

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL NO. 2, MUMBAI  
PRESENT :

Shri S. B. Panse, Presiding Officer  
Reference No. CGIT-2|14 of 1996

Employers in relation to the Management of  
M.T.N.L.

AND

Their Workmen

#### APPEARANCES :

For the Employer—Mr. S. R. Rajguru, Advocate

For the Workmen—Mr. N. Y. Lokhande, Advocate

Mumbai, dated 15th September, 1997

#### AWARD

The Government of India, Ministry of Labour by its Order No. L-40012|233|94-IR(DU), dated 30-1-96, had referred to the following Industrial Dispute for adjudication :

"Whether the action of the management of Mahanagar Telephone Nigam Ltd., Bombay in terminating the services of Shri Shivsagar Shrinarayan Dubey w.e.f. 1-6-1992 is justified ? If not to what relief the workman is entitled ?"

2. Shivsagar Shrinarayan Dubey pleaded that he was employed by the Chief General Manager Telephone Nigam Ltd., Bombay on 1-4-82 under Assistant Engineer, Cable Depot|Parcel, Santacruz.

3. The workman pleaded that he worked from 1-4-82 till 4-3-92. Thereafter as he was sick he was took an oral permission from the superior and had gone to the native place because there was nobody to look after him at Bombay. It is asserted that he required such time to over come from the sickness and thereafter approached the superiors on 15-3-93 but he was not allowed to join the duties. He made an appeal with the medical certificate to the Assistant Engineer, Kurle Cable Depot on the same day. But it was not heard and he was not taken on duty.

4. The workman pleaded that in last ten years he worked continuously but in the year 1991 due to the sickness he could attend only 57 days and in the year 1992 he could not attend the duties at all. It is averred that on 3-11-93 he received the order of termination stating that his request dated 15-9-93 to resume the duty with medical certificate after a lapse of 18 months cannot be entertained by the department and as such his service with M.T.N.L. be treated as terminated effective from 1-6-93.

5. The workman asserted that the action of the management is not on the disciplinary ground. No memo nor a chargesheet was issued to him and his service is illegally terminated which is bad in law. He prayed that he may be reinstated in service with effect from 15-3-93 with full back wages and other consequential benefits. He also prayed that his absence from January, 1992 to 15-3-93 shall be treated as an extra ordinary and should be granted all the benefits of the service.

6. The management resisted the claim by the Written Statement (Ex.-4/9). The first written statement was filed when the management did not receive the copy of the statement of claim but later on it filed it after receipt of the copy of the statement of claim. It is averred that the workman abandoned the service. It is submitted that he was served with a notice by the department to resume the duty but he did not join the duties. It is pleaded that the notice dated 3-11-93 is wrongly construed by the workman. It is averred that the workman was a temporary mazdoor and as such is not entitled to any chargesheet regarding termination. In fact he voluntarily given up the job. It is denied that the action of the management is against the Principles of Natural Justice. It is also denied that there is requirement of compliance to be made under Article 311 of the constitution of India. It is averred that the workman had taken leave in the period of his employment. It is submitted that the workman is not entitled to any of the reliefs, as claimed. The workman filed a rejoinder as Exhibit-5. He reiterated the contention taken in the statement of claim.

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7. The issues and my findings there on are as follows :

Issues	Finding
1. Whether the Tribunal has jurisdiction to entertain and decide the reference ?	No.
2. Whether the workman abandoned the service from 5th March, 1992 ?	Does not survive. If survives yes.
3. Whether the action of the management of Mahanagar Telephone Nigam Limited in terminating the services of Shri Shivsagar Shrinarayan Dubey w.e.f. 1-6-1992 is justified ?	Does not survive If survives yes.
4. If not, what relief the workman is entitled to ?	Does not survive.

#### REASONS

8. The issue of jurisdiction has to be seen by the Tribunal. It is not necessary that the adverse party should raise the issue then only the Tribunal can embark upon it. It is general contention that in view of the case, Sub-Divisional Inspector, Posts Vs. Theyyam Joseph 1996 II Supreme 487, the telecommunication is not an industry and this Tribunal has no jurisdiction to decide the matter.

9. In Joseph's case Their Lordships observed 'India is a sovereign, socialist, secular democratic republic has to establish an egalitarian social order under the rule of law. The welfare measures pertain the character of sovereign functions and the traditional duty to maintain law and order is no longer the concept of the state. Directive principles of state policy enjoin in the state diverse duties under IV of the Constitution and performances of the duties are constitutional functions. One of the duties is of the state, to provide telecommunication service to the general public as an eminence and so is the essential part of sovereign functions of the state, as a welfare state, it is not therefore an industry.'

10. The Learned advocate for the workman placed reliance on various authorities and tried to submit that Mahanagar Telephone Nigam Limited is an industry. According to him in state of Bombay and Ors. Vs. Hospital Mazdoor Sabha and Ors. 1960 I LLJ 251 it is observed, it is the character of the activity which decides the question as to whether the activity in question attracts the provisions of 2(i) of the Act. It is further observed who conducts the activity and whether it is conducted for profit or do not make a material difference. Their Lordships also referred to



Schedule I to the Act which innumrated Industries which may be declared as public utility service under section 2(N) of the Act.

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13. Then comes the *Bangalore Water Supply and Sewerage Board etc. and A. Rajappa & Ors.* 1978 1 LLJ 349. The Constitutional Bench of seven judges discussed various aspects namely what is industry and laid down different tests for coming to conclusion where a particular activity is an industry or not. The learned advocate for the workman more particularly placed reliance on paragraph 46 and 47 of the Judgment. He also referred to paragraph 131 of the Judgment. It is observed therein that what is the dominant nature test. It is stated that sovereign functions strictly understood alone qualified for exception not the welfare activities or economic adventures undertaken by Government or statutory bodies.

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20. The Learned Advocate for the management argued that this Tribunal in an earlier Reference No. 2-26-91 came to the conclusion on the basis of the Joseph's case that Telecommunication is not an industry. Judicial discipline wants that unless there is a verdict from the superior court or that there is sufficient evidence on the record for changing the earlier views the Tribunal should not change its views. This proposition is acceptable. Further more, if it is found by the Tribunal that a view taken by it is incorrect. There in that case it cannot be said that it should commit the same mistake in latter Judgments/Awards. It can very well correct himself as laid down in *Mafatlal Engineering Industries Ltd. Vs. Mafatlal Engineering Employees Union* and Ors. 1992 I CLR 418. The Award of this Tribunal was challenged in SLP Bombay Telephone canteen employees case. It was confirmed.

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23. The Supreme Court considered their views expressed in Joseph's case in Bombay Telephone Canteen employees Association, Prabhadevi Telephone exchange Vs. Union of India and Anr. 1997 II CLR 218 Their Lordships considered the Bangalore Water Works, Hospital Mazdoor Sabha, Corporation of City of Nagpur Rajasthan State Electricity Board and many other. They also considered the case of Physical Research Laboratory Vs. K. G. Sharma J. T. 1997 (4) S.C. 527 and came to the conclusion that departmental canteen of Telephone is not an industry. It is observed that the employees working in a statutory canteen in view of respondents admission are holding civil posts and are being paid monthly salary and are employees, the necessary conclusion would be that the Tribunal has no jurisdiction to adjudicate a dispute on a reference under section 10(1) of the Industrial Disputes Act.

24. In the above said authority their Lordships further observed that the employee gets a remedy under the Act by way of reference and remedy of a judicial redresser by way of proceedings under Article 226 or a petition filed before 2883 GI/97--20

the Administrative Tribunal. They are co-existing. The court would therefore strike a balance between the competing rights of the individual and the state agency or instrumentality and decide the validity of the action taken by the management. Necessarily if the service conditions stand attracted all the conditions laid there in would become applicable to the employees with a fixity of tenure and guarantee of service subject to disciplinary action. His removal should be in accordance with the just and fair procedure envisaged under the rules or application of the Principles of Natural Justice as the case may be in which event the security of the tenure of the employee is assured and the whim and the fancy vagary of the employer would be deterred and if unfair and unjust action is found established it would be declared as an arbitrary, unjust or unfair procedure. On the other hand if the finding is that there exists no statutory rule or certified standing order exists or they are not either made in applicable. The remedy of the reference under section 10 of the Act would be always be available and avail of as it is a industry and idicia lead in Bangalore Water Supply Board case gets attracted.

25. In *Himanshu Kumar Vidyarthi and Ors. Vs. State of Bihar* and Ors. 1997 S. C. cases (L&S) 1079 Their Lordships observed every department of Government cannot be treated to be an industry. When the appointments are regulated by a statutory rules the concept of industry to that extent stands excluded. In that case the petitioners were not appointed to the posts in accordance with the rules but were engaged on the basis of need of the work. They are temporary employees working on daily wages. They are disengagement from service, cannot be construed to be a retrenchment under the Industrial Disputes Act. The concept of retrenchment therefore cannot be stretched to such an extent as to cover these employees since they are only daily wage employees and have no right to the post, their disengagement is not arbitrary. Relying on the ratio given in this authority it is tried to submit that the workman who is a casual labourer have no right for the employment. The other facts are different than the facts before me.

26. The ratio laid down from the above said authorities is that if the employee holds a civil posts and are being paid monthly salary and are employees, the necessary conclusion would be that the Tribunal has no jurisdiction to adjudicate the dispute on a reference under section 10(1) of the Act.

27. *Shivragar Dubey* (Exhibit-12) affirmed that he is in service of M.T.N.L. from 1-4-82 to 4-3-92. Initially he was admittedly a casual labourer and thereafter he was temporary mazdoor. From the service sheet which are produced alongwith the statement of claim it clearly speaks that his working days, how much earned leave he earned. How much leave he enjoyed and the wages paid to him. It can be further seen that the payment was monthly. From the written statement Ex-4 and 9 filed by the management it reveals that he was issued notices by the management for joining the duties following which a departmental action will be taken against him. Not only that Kittimani (Exhibit-14) affirmed to that effect. According to him the worker eventhough served with notice to join the duties did not join it nor he informed the management that due to his sickness or for any other reason he will join the duties later on. It appears that due to his continuous working as a casual labourer prior to 1985 in view of the scheme initiated by the department he was given the status of temporary mazdoor. He is paid like that of regular mazdoor. On the basis of the ratio in Bombay Telephones it has to be said the worker holds a civil post. In the result the Tribunal cannot decide the reference under section 10(1) of the Industrial Disputes Act.

28. For the sake of argument if it is said that my finding on issue No. 1 that the Tribunal has no jurisdiction to decide this reference is incorrect I proceed to answer the remaining issues.

29. Dubey (Ex-12) the worker produced a certificate showing the working days which clearly speaks that till 1990 he was continuously working. From January 1991 to 31-12-91 he worked only for 57 days and in the year 1992 he did not work at all. He affirmed that on 4-3-92 he orally informed his superiors that he is sick he is leaving for his native place. It cannot be accepted at all. After working for about nine years he must have knowledge that when one wants to go or avail a leave a written application is to be given. That being not done it has to be said that he left the place without informing the higher authorities.

30. Dubey affirmed that there was nobody to look after him and had no way but to go to his native place. There must be substance in this statement. But nothing prevented him from giving an application for leave. It is not his case that he was bedridden and was impossible to move. It is not his case that his family members took him to native place in an ambulance. The matter does not rest here.

31. Kattimani (Ex-14) the Assistant General Manager (Exhibit-14) affirmed that as the worker remained absent he was constantly informed by the superiors that his leave will be treated as leave without pay. He was warned on several occasions. He was also informed that if he continues to remain absent without getting prior sanction the matter will be reported to the superiors. He affirmed that on 4-11-91 and on 20-2-92 and on 27-3-92 he was asked to resume the duties. Even though he received those notices he did not comply with it. There is no explanation on behalf of Dubey regarding it. That itself suggests that he abandoned the service.

32. Dubey affirmed that he tried to join the duties on 15-9-93 alongwith it he produced a medical certificate of Dr. Bijendra Yadav dated 11-9-93 which speaks that Dubey was under his treatment from 5-3-92 and now fit to join the duties. It can be seen that from January, 1992 till 4-3-92 admittedly the worker was absent. From perusal of the service card it reveals that in January 1991 he worked for sixteen days, in February two days in March no days, in April two days, in May six days in June thirteen days, July nine days, August six days and September two days. It also appears that from October onwards to December 1991 he did not join the duties. His trend appears to be leaving the job. Ultimately he did so. The certificate which is produced cannot be said to be a true explanation of remaining absent or in other words sufficient reason for remaining absent from duty. I therefore find that the worker had abandoned the service.

33. It is tried to argue on behalf of the workman that the notice dated 3-11-93 informed that it is treated that his services are treated terminated effective from 1-6-92. Even though the word terminated is used the management had given an explanation to the effect that it is wrongly used and it is treated as abandonment of service and the worker has abandoned the service. For the reasons stated above I accept that explanation. As he abandoned the service there is no question of holding any departmental inquiry against him by issuing the charge-sheet. In the result I record my findings on the issues accordingly and pass the following order :

#### ORDER

The Tribunal has no jurisdiction to decide the reference under section 10(1) of the Industrial Disputes Act of 1947.

नई दिल्ली, 29 अक्टूबर, 1997

कांथः 2974.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार तुंगभद्रा बोर्ड, टी.बी. डेम, बेल्लारी डिस्ट्रिक्ट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-10-97 को प्राप्त हुआ था।

[सं० एल-42011/56/88-डी-II (बी)]  
के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 29th October, 1997

S.O. 2974.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Tungabhadra Board, T. B. Dam, Bellary District and their workman, which was received by the Central Government on 29-10-1997.

[No. L-42011/56/88-D. II (B)]  
K. V. B. UNNY, Desk Officer.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR, COURT, BANGALORE

Dated this Wednesday the 22nd day of October, 1997

PRESENT :

Shri K. Mohanachandran, B.Sc., B.L., D.L.  
A.L. Presiding Officer.

CENTRAL REFERENCE NO. 52/89

I Party :

The President, Tungabhadra,  
Board Factory Workers and  
Civil Employee's Union,  
Tungabhadra Dam, Hospet taluk,  
Bellary District—583 101.

Vs.

II Party :

Tungabhadra Board,  
Tungabhadra Dam,  
Hospet taluk,  
Bellary District,  
583101.

**AWARD**

In this Central Government reference No. 42011/56/88-D. II (B), dated 1-8-1989, the point for adjudication is fixed as follows :

"Whether the action of the Tungabhadra Board T. B. Dam Hospet taluk, Bellary District in not agreeing to revise the wages for manual workers even after the expiry of the settlement dated 17-10-1986, which was in force upto 30-6-1988 is justified ? If not, to what relief the workman are entitled to ?"

(2) The (brief) averments of the 1st party in his claim statement are as follows :

The 1st party raised the dispute regarding not agreeing to raise the wages for manual unskilled workers of Tungabhadra Board by the 2nd party even after the expiry of settlement dated 17-10-1986 which was in force upto 30-6-1988. The 2nd party agreed, by signing a memorandum dated 17-10-1986, to fix the daily wage of unskilled manual workers having upto 5 years of service at Rs. 12/- beyond 5 years but less than 10 years at Rs. 14.25 and at Rs. 16.25 beyond 10 years of service. As per the said settlement the agreement has to come into effect from 1-7-1986. But the 2nd party did not take any action to revise the wages further inspite of persistent demand made by the 1st party. Therefore the 1st party pray for an order for raising daily wage of manual unskilled workers at Rs. 19.25 per day or at Rs. 500/- for a month as prescribed by the Government of Karnataka with effect from 1-7-1988.

(3) In the written statement the 2nd party averred as follows :

The dispute raised by the 1st party under Industrial Disputes Act is not valid since the said Act is not applicable to the Tungabhadra Board. The Tungabhadra Board should be regarded as a Government department and it is not an independent autonomous body. And the Industrial Dispute Act is not applicable for Tungabhadra Board this Tribunal has no jurisdiction to entertain the present case. But anyhow the Board in its memorandum No. 3131/E. 1/80, dated 19-9-1989 had enhanced the wages of daily rated workers of Tungabhadra Board with effect from 1-7-1988. Under those circumstances the 1st party has no right to claim any relief before this Tribunal and therefore the reference has to be rejected.

(4) While the said Central Reference is kept pending in the stage of recording evidence, the 1st party on 19-9-1997 present alongwith his counsel and filed a memo stating that since the service of the 1st party had been converted into monthly rated and accordingly the wages had been paid, the 1st party is not pressing the present reference and it may be dismissed without cost. Counsel for the 2nd party also taken notice of the said memo and endorsed no objection. In such circumstances the said memo has been recorded.

**AWARD**

The reference in Central Reference No. 52/89 is dismissed without cost in terms of the memo dated 19-9-1997 filed by the 1st party. The memo dated 19-9-1997 of the 1st party will be part and parcel of this award. Submit to Government.

(Dictated to P. A., transcribed by him, corrected by me and signed on this Wednesday the 22nd day of October, 1997).

K. MOHANACHANDRA, Presiding Officer.

IN THE COURT OF INDUSTRIAL TRIBUNAL  
(CENTRAL) BANGALORE, CAMP BELLARY.

C. R. No. 52 of 1989.

T. B. Board factory workers and Civil Employees Union by its General Secretary.

1st Party.

Vs.

The Secretary Tungabhadra Board, T. B. Dam.  
Memo fixed on behalf of the 1st party

The workman involved in the above Dispute whose services have been converted into monthly rated and accordingly their wages are paid.

It is therefore prayed that the 1st party Union does not press the above Reference and it may be Dismissed without any order as to costs.

Notice taken No Objection.

Sd./

Advocate for 1st Party.

Sd./-

Advocate for 2nd party.

Sd./-

General Secy.

नई दिल्ली, 29 अक्टूबर, 1997

## AWARD

का.आ. 2975.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हल्दिया डोक कॉम्प्लेक्स के प्रबन्ध तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में, निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-10-97 को प्राप्त हुआ था।

[सं. एल-32012/7/89-आई आर (विविध)]  
बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 29th October, 1997

S.O. 2975.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Haldia Dock Complex and their workman, which was received by the Central Government on the 29-10-1997.

[No. L-32012/7/89-IR (Misc.)]  
B. M. DAVID, Desk Officer.

## ANNEXURE

## CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 37 of 1989

## Parties :

Employers in relation to the management of  
Haldia Dock Complex, Haldia.

## AND

Their workmen

## Present :

Mr. Justice A. K. Chakravarty  
Presiding Officer.

## Appearance :

On behalf of Management

Mr. R. Pratihari, Personnel Officer.

On behalf of Workmen

Mr. R. L. Banerjee, Working President of  
Haldia—Calcutta Port and Dock Shramik  
Union.

Mr. T. B. Roy, Vice President for Calcutta Port  
Shramik Union.

None for Calcutta Port & Shore Mazdoor  
Union.

State : West Bengal.

Industry : Port &amp; Dock.

By Order No. L-32012/7/89-IR (Misc.) dated 11-12-1989 the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Haldia Dock Complex of CPI in selecting Shri Kalipada Ballav, Bhandary to the post of ‘Winchman’ is justified and lawful in the context of the relevant rules and provisions of Das Gupta Tribunal Award (1958). If not, what should be the guiding principles in conducting selection for filling up such posts, in future cases?”

2. In the instant case three separate written statements were filed by the three separate unions, namely, Calcutta Port & Shore Mazdoor Union (Haldia Branch), Calcutta Port Shramik Union and Haldia—Calcutta Port & Dock Shramik Union on behalf of the unions. The facts giving rise to this dispute are that the management of Haldia Dock Complex, Haldia of Calcutta Port Trust by its circular No. 43/4/3473 dated 26 February, 1987 invited applications from the willing candidates for training for the job of ‘Winchman’ and ‘Crane Drivers’. The management, thereafter, on the basis of the applications received from the willing candidates, prepared a list of 19 workmen arranging the date of interview on 19th March, 1987. In memo No. MPM/13/4/4310 dated 13th March, 1987 the name of Kalipada Ballav appeared as one of the candidates. The management thereafter, with due approval of the Deput Chairman, selected by its office order No. MPM/13/4/3807 dated 8th February, 1988 the said Kalipada Ballav, who was working as Bhandary in floating craft unit of Marine Operation Division for training for the job of ‘Winchman’ and the period of training was fixed for 3 months. In the said office order it was also mentioned that on completion of training period Shri Ballav may be considered for appointment to the post of ‘Winchman’. The management, however, by memo No. MMO/2346 dated 27th May, 1988 reverted Shri Kalipada Ballav to his original position of ‘Bhandary’ without assigning any reason after the completion of his training period.

3. In the written statement filed by the Calcutta Port & Shore Mazdoor Union, Haldia Branch, the act of reversion of Shri Kalipada Ballav was challenged as illegal and invalid. It was also alleged by the said union that the management was not justified in taking such a decision of reversion as it apprehended troubles from the other two unions, namely, Haldia—Calcutta Port & Dock Shramik Union and Calcutta Port Shramik Union.

4. In the written statement filed by Calcutta Port Shramik Union it was alleged that the post/grade of 'Winchman' is a promotional post and any promotion to such a post must conform to the rules as framed by Mr. Dasgupta in his award which was published by the Government of India, Ministry of Labour & Employment in the Gazette of India (Extraordinary) dated 30-1-1958 under notification No. 437 dated 21-1-1958. It was alleged that as per rule framed in paragraph 27(a), (b) and (d) of the said award seniority shall be the guiding principle for promotion except for jobs requiring higher or extra qualification. It was further alleged that consideration of Shri Kalipada Ballav, Bhandary for the post of 'Winchman' amounts to supersession of other members of the staff of senior grades, which is not at all permissible under the general rules as well as the rules framed by Mr. Dasgupta in his award. This union has further alleged that the 'Bhandary' occupies the lowest grade amongst the grades in the vessel and it can never come within the zone of consideration for the post of 'Winchman' which is two grades above the grade of 'Bhandary'. This union accordingly prayed for holding that the action of the management in selecting Shri Kalipada Ballav, Bhandari for the post of 'Winchman' was not justified and in violation of the rules and provisions of Dasgupta Award (1958).

5. Haldia-Calcutta Port & Dock Shramik Union in its written statement supported the case of Calcutta Port Shramik Union and prayed for similarly as prayed for by the said union.

6. The mauagement of Haldia Dock Complex in its written statement stated that the Haldia Dock Complex was established in 1976 and it constitutes a separte establishment within the Calcutta Port Trust and functions independently through its various divisions under a General Manager. For the purpose of dredging the management obtained Grab Dredger and it was required to be manned on urgent basis in the exegency of dredging work. Some of the operational posts on Grab Dredger e.g., 'Crane Driver' and 'Winchman' were new posts under Haldia Dock Complex and since there was no existing feeder post for filling up the said higher post, one circular dated 26-2-1987 was issued inviting applications from the existing employees of the floating crafts/units under the Marine Operations Division for selection for training for the job of 'Winchman' and 'Crane Driver' for the said Grab Dredger. 19 applications were received from various categories of crew members including Second Seacunny, Marine Hand, Greaser, Lascar, Bhandary etc. and all of them were called for interview on 19-3-1987. Since Shri Kalipada Ballav was found suitable for the

job of 'Winchman', his name was empanelled for the purpose of training as no other suitable candidate from amongst the Marine Hand/Lascar was available or willing to be considered for the said post of 'Winchman'. As Shri Kalipada Ballav was placed for training for the job of 'Winchman', objections were raised by the unions on the ground that his selection amounts to repudiation of the seniority of the workman. In view of the objections raised Shri Ballav could neither be engaged as 'Bhandary' nor as a trainee for the job of 'Winchman'. As his service could not be utilised, the management decided to shift him to his original position as Bhandary'. Thereafter, the union raised an industrial disptue and the conciliation proceeding having failed, the present reference was made. The management has also alleged that the job of Winchman' and 'Crane Driver' being new posts and there being no feeder posts for promotion to the said post of 'Winchman', the management was justified in selection of personnel for training from the existing staff. It is further alleged that the Dasgupta Tribunal having been appointed by the Government of India in the year 1956 for the specific purpose relating to certain specific establishment existing at that time under the then Commissioners of the Port of Calcutta, no question of application of its recommendations in respect of the persons of Haldia Dock Complex can arise, as it came into existence in 1976, long after the Award was passed. Management also denied that in selecting Shri Kalipada Ballav for training for the job of Winchman, they have not violated any rules framed in the Dasgupta Tribunal's Award as no suitable candidate senior to him was available for appointment to the said post. It is also alleged that the unions did not make any protest in similar type of appointment in the case of 'Crane Driver'. The management accordingly prayed that Shri Kalipada Ballav, Bhandary be allowed to have his training for the job of 'Winchman'.

6. Heard the representative of the management. None appeared on behalf of the unions at the time of argument. It however appears from the record that the unions duly participated at the time of examination of witnesses. Calcutta Port Shramik Union also filed written argument.

7. In so far as the first point in the schedule of reference, namely, whether the selection of Shri Kalipada Ballav, Bhandary to the post of 'Winchman' is justified and lawful in the context of the relevant rules and provisions of Dasgupta Tribunal's Award (1958), it should be noted at the outset that the concerned workman was not given promotion to the post of 'Winchman'. He admitted in his evidence that he was reverted back to his original post and he

worked as 'Boundary' from 21-9-1981 till 17-6-1991. The selection of the concerned workman for training for the job of 'Winchman' on 8th February, 1988 having thus admittedly been not given any effect by the management, any discussion in respect of the said matter assumes the character of academic discussion without any practical necessity.

8. The management, however, having pleaded that it has rightly selected Shri Kalipada Ballav and one of the unions namely, Calcutta Port and Shore Mazdoor Union having prayed for cancellation of the order of reversion of the management and the other two unions having denied the right of the management for making such selection on the basis of the Dasgupta Tribunal's Award, it is necessary to examine the Dasgupta Tribunal's Award in this matter. The management of Haldia Dock Complex took the plea that it is not bound by the Dasgupta Tribunal's Award of 1958 as Haldia Dock Complex came into existence in 1976. Haldia Dock Complex being under the administrative control of the Calcutta Port Trust, it cannot claim to be a separate entity and accordingly the plea of the Haldia Dock Complex that it is not bound by the said Award which was in respect of certain categories of employees of Calcutta Port Trust, cannot be accepted. It was further contended on behalf of the management that certain new posts like the 'Winchman' was created long after the Dasgupta Tribunal's Award and the said Award has not made any provisions in respect of such posts. It may be true that certain new posts were created after Shri Dasgupta passed the award but the principles laid down for filling up the promotional posts shall have application for all posts created after the said Award was passed. The relevant rules in respect of promotion to higher grades are formulated in paragraph 27(b), (c) and (d) of the Dasgupta Tribunal's Award.

9. Admittedly, the post of Bhandary forms lowest amongst the grades of the Marine Operations Division. The next higher grade from the said grade is 'Marine Hand cum Kodaliyman'. The post of 'Winchman' is a grade higher than that of 'Marine Hand-cum-Kodaliyman'. In justification of the selection to the post of 'Winchman' from the persons occupying the post of 'Bhandary' it was submitted that the management can do so in terms of the provisions of paragraph 27(c). Paragraph 27(c) of the Dasgupta Tribunal's Award runs as follows :

"Promotion shall conform to the chart annexed to this award (ANNEXURE III) which is a part of this award. Promotion to a post

shall be from the grade just below; and the claim of the workmen further down shall be considered only when a suitable man is not available from the grade just below."

This paragraph shows that the management can only consider the suitability of the candidates of further lower grades only when no suitable candidate is available in the grade just below. It presupposes that the management shall have to come to a conclusion that the candidates occupying the grade just below are not suitable for appointment. Before such conclusion is reached, the management is prescribed from consideration of the suitability of the candidates holding further lower grades. In other words, applications can only be invited from the candidates occupying grade next below first. This rule clearly forbid the management from inviting applications from other grades of its employees, unless the suitability of the candidates of the grade just below is considered. The position is further clarified from the provisions of paragraph 27(d) of the Dasgupta Tribunal's Award which runs as follows:

"Whenever there is any vacancy or any prospect of vacancy in the higher grades, applications shall be invited from workmen of lower grades by a general notice fishing the date of the prescribed test according to the existing practice, if any, posted at some conspicuous place at different exists in good time before the date on which the test is to be held. A copy of such notice shall also be pasted on the Notice Board of the Recruiting Office. The total number of candidates that may be permitted to take the test shall be selected according to seniority and shall not exceed six times the total number of vacancies."

By inviting application for filling up the post of 'Winchman', not only from the grades just below but also from the candidates occupying the posts even below those grades, the management clearly violated the provisions of the Dasgupta Tribunal's Award, which as I have stated above, shall be equally binding in the case of Haldia Dock Complex. It is also no good saying that the post of 'Winchman' is a new post which is not covered by the Award. The post being admittedly a promotional post, the rules prescribed in the Dasgupta Tribunal's Award for filling up the promotional post, shall be equally applicable in the case of filling up the promotional post, shall be equally applicable in the case of filling up of the post of 'Winchman'.

10. In view of what goes above, the action of the management of Haldia Dock Complex of the Calcutta Port Trust in selecting Shri Kalipada Ballay. Bhandary to the post of 'Winchman' was not justified and lawful in the context of the relevant rules and provisions of Dasgupta Tribunal's Award (1958). As stated above, the rules and provisions prescribed for promotion in the said Award should be the guiding principle in conducting selection for filling up such posts in future cases.

This is my Award.

A. K. CHAKRAVARTY, Presiding Officer  
Dated, Calcutta,

The 14th October, 1997.

नई दिल्ली, 5 नवम्बर, 1997

का.आ. 2976.—उत्प्रवास अधिनियम, 1983 (1983 का 31) की धारा 27 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की दिनांक 24 जुलाई, 1987 की अधिसूचना का.आ.सं. 2092 का अधिष्ठापण करते हुए, केन्द्रीय सरकार एतद्वारा उत्प्रवासी

महासंरक्षक, श्रम मंत्रालय, नई दिल्ली की अधिनियम के अन्तर्गत किसी अपराध के संबंध में किसी व्यक्ति पर अभियोजन चलाने को पूर्व अनुमति देने के लिये प्राधिकृत करती है।

[सं. जेड-11025/30/87-उत्प्र.-II]

बी.डी. नागर, अवर सचिव

New Delhi, the 5th November, 1997

S.O. 2976.—In exercise of the powers conferred by section 27 of the Emigration Act, 1983 (31 of 1983) and in supersession of the notification of the Government of India in the Ministry of Labour, S.O. 2092 dated the 24th July, 1987, the Central Government hereby authorizes the Protector General of Emigrants, Ministry of Labour, New Delhi to grant previous sanction for prosecution of any person in respect of any offence under the Act.

[No. Z-11025/30/87-Enig. II

V. D. NAGAR, Under Secy.

